



DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Edition No. 1 Supplement No. 7*

FIFTY-EIGHTH LEGISLATURE

Wednesday, January 21, 2004

10th Day - 2004 Regular

SENATE

SB 6403	SB 6422	SB 6441
SB 6404	SB 6423	SB 6442
SB 6405	SB 6424	SB 6443
SB 6406	SB 6425	SB 6444
SB 6407	SB 6426	SB 6445
SB 6408	SB 6427	SB 6446
SB 6409	SB 6428	SB 6447
SB 6410	SB 6429	SB 6448
SB 6411	SB 6430	SB 6449
SB 6412	SB 6431	SCR 8420
SB 6413	SB 6432	SCR 8421
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HOUSE

HB 2701	HB 2720	HB 2739	HB 2758	HB 2777	HJM 4036
HB 2702	HB 2721	HB 2740	HB 2759	HB 2778	HJM 4037
HB 2703	HB 2722	HB 2741	HB 2760	HB 2779	HJR 4215
HB 2704	HB 2723	HB 2742	HB 2761	HB 2780	HCR 4416
HB 2705	HB 2724	HB 2743	HB 2762	HB 2781	
HB 2706	HB 2725	HB 2744	HB 2763	HB 2782	
HB 2707	HB 2726	HB 2745	HB 2764	HB 2783	
HB 2708	HB 2727	HB 2746	HB 2765	HB 2784	
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HB 2717	HB 2736	HB 2755	HB 2774	HJM 4033	
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LIST OF BILLS IN EDITION NO. 1 SUPPLEMENTS

SENATE

SB 5408-S	Supp. 6	SB 6134	Supp. 1
SB 6103	Supp. 1	SB 6135	Supp. 1
SB 6104	Supp. 1	SB 6136	Supp. 1
SB 6105	Supp. 1	SB 6137	Supp. 1
SB 6106	Supp. 1	SB 6138	Supp. 1
SB 6107	Supp. 1	SB 6139	Supp. 1
SB 6108	Supp. 1	SB 6140	Supp. 1
SB 6109	Supp. 1	SB 6141	Supp. 1
SB 6110	Supp. 1	SB 6142	Supp. 1
SB 6111	Supp. 1	SB 6143	Supp. 1
SB 6112	Supp. 1	SB 6144	Supp. 1
SB 6113	Supp. 1	SB 6145	Supp. 2
SB 6114	Supp. 1	SB 6146	Supp. 2
SB 6115	Supp. 1	SB 6147	Supp. 2
SB 6116	Supp. 1	SB 6148	Supp. 2
SB 6117	Supp. 1	SB 6149	Supp. 2
SB 6118	Supp. 1	SB 6150	Supp. 2
SB 6119	Supp. 1	SB 6151	Supp. 2
SB 6120	Supp. 1	SB 6152	Supp. 2
SB 6121	Supp. 1	SB 6153	Supp. 2
SB 6122	Supp. 1	SB 6154	Supp. 2
SB 6123	Supp. 1	SB 6155	Supp. 2
SB 6124	Supp. 1	SB 6156	Supp. 2
SB 6125	Supp. 1	SB 6157	Supp. 2
SB 6126	Supp. 1	SB 6158	Supp. 3
SB 6127	Supp. 1	SB 6159	Supp. 3
SB 6128	Supp. 1	SB 6160	Supp. 3
SB 6129	Supp. 1	SB 6161	Supp. 3
SB 6130	Supp. 1	SB 6161-S	Supp. 6
SB 6131	Supp. 1	SB 6162	Supp. 3
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HOUSE

HI 297	Supp. 4	HB 2329	Supp. 1
HB 2298	Supp. 1	HB 2330	Supp. 1
HB 2299	Supp. 1	HB 2331	Supp. 1
HB 2300	Supp. 1	HB 2332	Supp. 1
HB 2301	Supp. 1	HB 2333	Supp. 1
HB 2302	Supp. 1	HB 2334	Supp. 1
HB 2303	Supp. 1	HB 2335	Supp. 1
HB 2304	Supp. 1	HB 2336	Supp. 1
HB 2305	Supp. 1	HB 2337	Supp. 1
HB 2306	Supp. 1	HB 2338	Supp. 1
HB 2307	Supp. 1	HB 2339	Supp. 1
HB 2308	Supp. 1	HB 2340	Supp. 1
HB 2309	Supp. 1	HB 2341	Supp. 1
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HB 2311	Supp. 1	HB 2343	Supp. 1
HB 2312	Supp. 1	HB 2344	Supp. 1
HB 2313	Supp. 1	HB 2345	Supp. 1
HB 2314	Supp. 1	HB 2346	Supp. 1
HB 2315	Supp. 1	HB 2347	Supp. 1
HB 2316	Supp. 1	HB 2348	Supp. 1
HB 2317	Supp. 1	HB 2349	Supp. 1
HB 2318	Supp. 1	HB 2350	Supp. 1
HB 2319	Supp. 1	HB 2351	Supp. 1
HB 2320	Supp. 1	HB 2352	Supp. 1
HB 2321	Supp. 1	HB 2353	Supp. 1
HB 2322	Supp. 1	HB 2354	Supp. 1
HB 2323	Supp. 1	HB 2355	Supp. 1
HB 2324	Supp. 1	HB 2356	Supp. 1
HB 2325	Supp. 1	HB 2357	Supp. 1
HB 2326	Supp. 1	HB 2358	Supp. 1
HB 2327	Supp. 1	HB 2359	Supp. 1
HB 2328	Supp. 1	HB 2360	Supp. 1

*To be discarded upon receipt of Edition No. 2 of the Legislative Digest and History of Bills

House Bills

HB 2701 by Representatives Lovick, Delvin, O'Brien and Buck

Prohibiting weapons in restricted access areas of commercial service airports.

Prohibits weapons in restricted access areas of commercial service airports.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2702 by Representatives Morris, Crouse, Wallace, Sullivan, Nixon, Romero, Blake, Tom, Ruderman, Moeller, Chase, Rockefeller, Upthegrove, Wood and Kagi

Requiring state use of hybrid vehicles.

Requires that, for the period July 1, 2004, through June 30, 2009, at least fifty percent of all new vehicles purchased by the department must be electric hybrid vehicles, vehicles that use alternative fuels, or a combination of both.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2703 by Representatives Armstrong, Cooper, Delvin and Blake

Increasing the minimum for bid requirements for materials or work for joint operating agencies.

Increases the minimum for bid requirements for materials or work for joint operating agencies.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2704 by Representatives Talcott, Haigh, Tom, Kenney, Anderson, Nixon, Carrell, Boldt, Kirby, Benson, Hunter, Jarrett, Priest, Skinner, Upthegrove, Shabro, Miloscia, Quall, Buck, Ruderman, Moeller, Rockefeller and Kagi

Providing standards for alternative learning experience programs.

Authorizes school districts to operate or provide through contract alternative learning experience programs for eligible full-time students or eligible part-time students who meet the provisions of RCW 28A.150.350. The programs: (1) Must address the diverse needs of students for courses of study provided in nontraditional learning environments;

(2) Must be supervised by certificated staff, who may be employed either by the school district or by a contractor selected by the school district;

(3) Must provide each student with direct personal contact at least weekly with certificated staff designated by either the school district or by the contractor with the approval of the school district;

(4) Must assess the educational progress of enrolled students at least annually, using, for full-time students, the state assessment provided for the student's grade level, and using any other annual assessments required by the school

district. Part-time students must also be assessed at least annually. Part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in private schools under chapter 28A.195 RCW are not required to participate in the assessments required under RCW 28A.655.060;

(5) May include significant participation by students, parents, and families in the design and implementation of a student's learning experience; and

(6) May provide individualized courses of study for students.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

HB 2705 by Representatives Dunshee, Alexander, Lovick, Armstrong, Wallace, Miloscia, Jarrett, Murray, Hankins, Schual-Berke, Boldt, O'Brien, Newhouse, Eickmeyer, Orcutt, Hunt, Kagi, G. Simpson, Clibborn, Grant, Sehlin, Pearson, Tom, Moeller, Romero, Nixon, Anderson, Talcott, Conway, Kenney, Upthegrove, Morrell and Wood

Creating a developmental disabilities community trust account.

Declares that the December 4, 2002, capital study of the division of developmental disabilities residential habilitation centers by the joint legislative audit and review committee identifies options to dispose of excess property at Lakeland Village, Rainier School, and Yakima Valley School that would not impact current residential habilitation center operations.

Declares an intent to dispose of excess capital properties at residential habilitation centers for persons with developmental disabilities and to place the proceeds from their disposal into a perpetual trust account for unserved persons with developmental disabilities waiting for community-based developmental disability services.

Requires that, by December 1, 2004, excess property and harvestable timber identified in the 2002 joint legislative audit and review committee capital study of the division of developmental disabilities residential habilitation centers must be disposed of and the proceeds deposited into the developmental disabilities community trust account. Proceeds from future disposal of excess or unused lands at the residential habilitation centers must be deposited into the developmental disabilities community trust account within ninety days of the date of their disposal.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Capital Budget.

HB 2706 by Representatives Hudgins, McDermott, Moeller, Chase, Flannigan, Hunt, Kirby and Kagi

Allowing same-day voter registration transfers.

Provides that a person who is registered to vote in this state may transfer his or her voter registration on the day of a special, primary, or general election for purposes of voting in the current special, primary, or general election under the procedures provided in RCW 29A.08.145.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2707 by Representatives Kenney, Priest, Sommers, Jarrett, McCoy, Chase and Hudgins

Reaffirming the mission of the higher education branch campuses.

Finds the policy landscape in higher education has changed since the original creation of the branch campuses. Demand for access to baccalaureate and graduate education is increasing rapidly. The state must prioritize additional expenditures in higher education to ensure the most cost-effective investment of public resources.

Declares an intent to reaffirm the mission of Washington's higher education branch campuses and set the course for their continued future expansion and development to meet the education needs of the citizens of Washington state in a cost-effective manner.

Declares that the primary mission of the five higher education branch campuses created under chapter 28B.45 RCW is to expand access to baccalaureate and master's level graduate education in under-served urban areas of the state. The branch campuses shall place a priority on providing instruction and related activities to support degree and certificate programs.

Declares an intent that branch campuses be funded at a level consistent with their primary mission and commensurate with upper division and graduate level degree programs at the comprehensive universities.

Directs the higher education coordinating board to evaluate faculty workload, research activities, and funding for research at the branch campuses to identify an appropriate funding level for each campus. By December 1, 2005, the board shall recommend a strategy to transition overall funding to implement legislative intent.

Directs the board to also recommend a growth plan for each branch campus to achieve economies of scale in operation and coordinate expansion in both enrollment and facilities.

Repeals RCW 28B.45.070, 28B.80.500, and 28B.80.520.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

HB 2708 by Representatives Ormsby, Kenney, Cox, Fromhold, Moeller, Dickerson, Chase, Lantz, Morrell, Wood, Hudgins and Kagi

Creating conditional scholarships for prospective teachers.

Provides that the higher education coordinating board shall offer conditional scholarships for full or part-time studies that may be forgiven in exchange for teaching service in Washington's public K-12 schools.

Requires applicants to have a declared intention to complete an approved preparation program leading to teacher certification with an endorsement in math, science, technology, special education, or bilingual education or be a teacher who is seeking an additional endorsement in math, science, technology, special education, or bilingual education.

Provides that loans shall be forgiven at the rate of one year of loan for two years of teaching service. Recipients who teach in geographic or subject-matter shortage areas, as specified by the office of the superintendent of public instruction, may have their loans forgiven at the rate of one year of loan for one year of teaching service.

Provides that recipients who fail to fulfill the required teaching service shall be required to repay the conditional loan with interest.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

HB 2709 by Representatives Kagi and Moeller

Establishing licensing requirements for counselors doing vocational evaluations or rehabilitation counseling.

Establishes licensing requirements for counselors doing vocational evaluations or rehabilitation counseling.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2710 by Representatives Kagi, Chase, Cooper, Morris, Sullivan, Linville, McIntire and Rockefeller

Regulating underwater noise.

Declares that "significant underwater noise" means underwater sound levels of one hundred eighty decibels or more generated from vessels, sonar devices, acoustic surveys, and other devices that have the potential to harm marine life.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Fisheries, Ecology & Parks.

HB 2711 by Representatives Kenney, Morrell, Cody, McIntire, Chase and Conway

Funding a central resource center for the nursing work force.

Provides that, in addition to the licensing fee for health care professionals licensed under chapter 18.79 RCW, the department shall impose an additional surcharge of five dollars per year on all initial licenses and renewal licenses issued under this chapter.

Authorizes the department to use the proceeds from the surcharge to contract with an organization to conduct the following activities: (1) Maintain information on the current and projected supply and demand of nurses through the collection and analysis of data regarding the nursing work force including but not limited to education level, employment settings, and nursing positions.

(2) Facilitate partnership between the nursing community and other health care providers, business and industry, consumers, legislators, and educators to achieve policy consensus, promote diversity within the profession, and enhance nursing career mobility and nursing leadership development.

(3) Evaluate the effectiveness of nursing education and articulation among programs to increase access to nursing education and enhance career mobility.

(4) Provide consultation, technical assistance, data, and information related to Washington state and national nursing resources.

(5) Promote initiatives to ensure a safe, healthy, and respectful workplace environment for nurses.

(6) Promote a positive image of the nursing profession and educate the public including students in K-12 about careers in nursing.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2712 by Representatives Morrell, Cody, Darneille, Moeller, Clibborn, McIntire, Chase and Conway

Creating a task force on nurses' work environment and patient safety.

Directs the secretary of health to convene a task force on nurses' work environment and patient safety to prepare a report to the legislature and propose measures aimed at improving patient safety by addressing the features of nurses' current work environments that may contribute to commission of preventable adverse patient events.

Requires the task force to issue its report to the legislature by January 1, 2005.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2713 by Representatives McMahan, G. Simpson, Cairnes, Talcott, McDonald, Carrell, Condotta, Hinkle, Roach, Pearson, Campbell, Woods and Morrell

Providing tax relief for senior citizens and persons retired because of physical disability.

Provides that, every two years, the department of revenue shall adjust each combined disposable income amount and each valuation amount in this act to reflect inflation. The department may round the adjusted amounts to the nearest thousand dollars. The adjusted amounts apply for taxes due the following two years.

Declares that, for the purposes of this act, "inflation" means the change in the consumer price index for all urban consumers for the United States, all items, as compiled by the bureau of labor statistics of the United States department of labor.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Finance.

HB 2714 by Representatives Edwards, Mielke, Clibborn, Lovick, Flannigan, Chase, Jarrett, Cody, Haigh, Wood, Skinner, McIntire, Rockefeller and Kagi

Increasing safety for senior drivers.

Provides that, if a health care provider, licensed physician, or other proper authority designated by the department reasonably believes that a patient's health condition poses an imminent danger to the health or safety of the patient or to any other individual, the health care provider, licensed physician, or other proper authority designated by the department must report the patient to the department, subject to RCW 70.02.050, using a form provided by the department, provided that the patient is thirteen years of age or older.

Requires the department, in cooperation with the department of health, to form a medical advisory board charged with the responsibility of determining, creating, and issuing a list of specific medical conditions that would merit a health care provider, licensed physician, or other proper authority reporting a patient to the department under this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Transportation.

HB 2715 by Representatives Schual-Berke, Benson, Tom, Moeller, McIntire and Chase

Providing the option of keeping landlord trust account funds in a credit union.

Provides the option of keeping landlord trust account funds in a credit union.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2716 by Representatives D. Simpson, Sullivan, Campbell, G. Simpson and Kirby

Increasing penalties for eluding a police vehicle.

Increases penalties for eluding a police vehicle.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Criminal Justice & Corrections.

HB 2717 by Representatives Sullivan, G. Simpson, Nixon, Anderson and Chase

Requiring an independent audit of state government.

Directs the state auditor to contract for a performance audit of the executive branch of state government.

Requires the performance audit to include an examination of the efficiency and effectiveness of major management policies, practices, and functions across all executive branch agencies.

Requires the state auditor to report the results of the audit to the legislature by September 1, 2005. Findings and recommendations, to the extent practicable, shall be quantified in terms of cost and benefit. The report shall also include identification of and recommendations for best practices.

Establishes a joint committee on government reform.

Requires the committee to: (1) Hold four public hearings in different geographic areas across the state to receive public input regarding the audit;

(2) Develop legislation, as appropriate, based on the findings and recommendations of the audit and public comment.

(3) Terminate December 31, 2006.

Appropriates the sum of five million dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2005, from the general fund to the state auditor to carry out the purposes of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2718 by Representatives Sullivan, G. Simpson, Kirby, Schual-Berke, Chase, Darneille, Lantz, Conway, Kenney, Morrell, Hudgins and Kagi

Preventing acts of fraud against elderly persons and vulnerable adults.

Provides that, when any person is found guilty in any superior, district, or juvenile court of having committed any of the crimes listed in this act where the victim is an elderly person or a vulnerable adult, the court may impose upon the convicted person a penalty assessment. If the penalty is imposed, it shall be in addition to any other penalty or fine

imposed by law, including a penalty assessment imposed under RCW 7.68.035.

Declares that the amount of the penalty shall be up to ten thousand dollars per conviction for felonies, up to five thousand dollars per conviction for gross misdemeanors, and up to one thousand dollars per conviction for misdemeanors.

Declares that "vulnerable adult" means a person found incapacitated under chapter 11.88 RCW, a person over eighteen years of age who has a developmental disability under chapter 71A.10 RCW, a person admitted to a long-term care facility that is licensed or required to be licensed under chapter 18.20, 18.51, 72.36, or 70.128 RCW, or a person receiving services from a home health, hospice, or home care agency licensed or required to be licensed under chapter 70.127 RCW.

Creates the elder and vulnerable adult fraud prevention account in the custody of the state treasurer. All receipts from fines, assessments, or forfeitures collected under RCW 19.86.080(2)(b), 19.86.090(1) (a)(ii) or (b)(ii), or section 1 or 6 of this act must be deposited into the account.

Provides that expenditures from the account may only be used to fund activities relating to advocating on behalf of, or preventing fraud against, elderly persons or vulnerable adults.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Criminal Justice & Corrections.

HB 2719 by Representatives Cooper, Sump, Moeller and Chase

Extending the date for implementation of ballast water discharge requirements.

Extends the date for implementation of ballast water discharge requirements to July 1, 2008.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Fisheries, Ecology & Parks.

HB 2720 by Representatives Kenney, McCoy, Pearson, Dunshee, Schual-Berke, Cooper, Kristiansen, Chase and Morrell; by request of State Board of Education

Concerning school district superintendent credential preparation programs.

Revises provisions relating to school district superintendent credential preparation programs.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

HB 2721 by Representatives Anderson, Morris, Sullivan and Priest

Establishing uniform administrative districts for certain state agencies and educational service districts.

Declares an intent to significantly improve the financial accountability and service delivery of state activities and functions by establishing standardized administrative districts for all state agencies. Uniform administrative districts will result in enhanced reporting of revenue and expense by region, better state program customer service, integrated planning and development of state infrastructure, and improved regional economic development opportunities.

Directs the office of financial management to maintain state agency data by uniform administrative districts created in this act and shall report this information to the legislature at least semiannually. The office of financial management shall fund conversion costs within existing appropriations and shall provide a progress report on these conversions to the legislature on or before July 1, 2005.

Directs the caseload forecast council to create and maintain an index of uniform economic indicators and a uniform purchasing power index and track these activities according to the uniform administrative districts created in this act. The council shall report this information to the legislature on a semiannual basis beginning on or before July 1, 2005.

Establishes a joint committee to review and assess the effectiveness of the uniform administrative districts in meeting its legislative intent.

Requires the committee to hold at least four public meetings each year to allow for public comment and to gather information on the effectiveness of uniform administrative districts.

Requires the committee to evaluate the effectiveness of the uniform administrative districts and make recommendations to expand the number of state agencies required to organize by uniform administrative district and procedures to align agency efforts to successfully accomplish that goal.

Expires December 31, 2008.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2722 by Representatives Grant and Mastin

Modifying the excise taxation of self-service laundry facilities.

Revises the excise taxation of self-service laundry facilities.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Finance.

HB 2723 by Representatives Morris, Carrell, Kirby, Wood, Benson, Darneille, Pearson, O'Brien and Anderson

Prohibiting unauthorized recording of motion pictures.

Provides that whoever, without the consent of the owner or lessee of the motion picture exhibition facility and the licensor of the motion picture being exhibited, knowingly operates an audiovisual recording function of a device in a motion picture exhibition facility is guilty of a crime punishable under this act.

Provides that, a violation of this act is a gross misdemeanor, punishable according to chapter 9A.20 RCW.

Provides that a second or subsequent violation of this act is a class C felony, punishable according to chapter 9A.20 RCW.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Criminal Justice & Corrections.

HB 2724 by Representatives Kagi, Cairnes, Orcutt, Santos, McDonald, O'Brien, Hankins, Conway, Roach, McIntire, Lovick, Campbell, G. Simpson, Talcott, Clibborn and Morrell

Providing a tax exemption for certain services for developmentally disabled persons.

Declares that chapter 82.04 RCW does not apply to amounts received from the department of social and health services for the specific purpose of providing division of developmental disabilities contracted and certified nonfacility based residential services to a person with a developmental disability as defined in RCW 71A.10.020.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Finance.

HB 2725 by Representatives Hunt and McDermott

Replacing the blanket primary with party caucuses.

Replaces the blanket primary with party caucuses.

Repeals RCW 29A.36.140, 29A.52.110, 29A.52.120, 29A.52.130, and 29A.04.903.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2726 by Representatives D. Simpson, Benson, Schual-Berke and Rockefeller; by request of Insurance Commissioner

Exempting certain insurance policy forms from filing requirements.

Provides that RCW 48.18.100 shall not apply to: (1) Surety bond forms;

(2) Forms filed under RCW 48.18.103;

(3) Forms exempted from filing requirements by the commissioner under RCW 48.18.103; or

(4) Manuscript policies, riders, or endorsements of unique character designed for and used with relation to insurance upon a particular subject.

Provides that the commissioner may, by rule, exempt from the requirements of this section any class or type of insurance policy forms if filing and approval is not desirable or necessary for the protection of the public.

Provides that RCW 48.18.103(3) does not apply to: (1) Types or classes of forms that the commissioner exempts from filing by rule; and

(2) Manuscript policies, riders, or endorsements of unique character designed for and used with relation to insurance upon a particular subject.

Requires every member or subscriber to a rating organization to adhere to the form filings made on its behalf by the organization. Deviations from the organization are permitted only when filed with the commissioner in accordance with chapter 48.18 RCW.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2727 by Representatives D. Simpson, Benson and Schual-Berke; by request of Insurance Commissioner

Requiring all insurers to file credit based rating plans.

Requires each insurer that uses credit history or an insurance score to determine personal insurance rates, premiums, or eligibility for coverage to file all rates and rating plans with the commissioner. This requirement applies equally to a single insurer and two or more affiliated

insurers. RCW 48.19.040(5) applies to information filed under this provision.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2728 by Representatives D. Simpson, Benson and Schual-Berke; by request of Insurance Commissioner

Regulating insurance.

Revises provisions relating to insurance.

Repeals RCW 48.05.360, 48.29.030, 48.29.060, 48.29.070, 48.29.090, 48.29.100, 48.29.110, and 48.34.910.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2729 by Representatives Linville, Haigh, Hunt and Chase

Regulating water well construction.

Requires every licensed operator to complete, during their compliance period, the continuing education unit requirement as determined by the department.

Directs every licensed operator to obtain the required continuing education units during the compliance period and submit to the department verification of completion statements from approved providers.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HB 2730 by Representatives Clibborn, Ericksen, Moeller, Schindler, Morris, Ahern, Fromhold, Mielke, Quall and Talcott

Modifying impact fee provisions.

Provides that impact fees for residential construction shall only be collected by the county, city, or town imposing the impact fee either: (1) At the time of title transfer to the occupant;

(2) Twelve months after the building permit is issued;

(3) At the time of final inspection of the residence; or

(4) At the time the certificate of occupancy is issued.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Local Government.

HB 2731 by Representatives Eickmeyer, Kristiansen, Blake, Schoesler, Buck, Quall, Grant, Orcutt, Cox, Roach, Pearson and Woods

Concerning storm water general discharge permits.

Authorizes the department to issue storm water general permits under the national pollution discharge elimination system of the federal clean water act if such permits are required to comply with federal standards or are necessary for the effective implementation of chapter 90.48 RCW. However, the permits are subject to the following conditions: (1) The implementation and maintenance of best management practices for on-site pollution control is

presumed to constitute compliance with the standards and requirements of the permit, subject to the conditions of this act.

(2) For purposes of storm water discharges, meeting effluent discharge limits must be demonstrated through implementation of best management practices sufficient to equate to all known and reasonable treatment. The department may monitor best management practices, for as long as deemed necessary, to determine their effectiveness in managing pollutants in storm water.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HB 2732 by Representatives Tom, Morris, Ruderman, Sullivan, Nixon, Crouse, Clements, Hudgins, Pearson, Jarrett and Wood

Establishing tax deferrals for wood biomass fuel investment projects.

Provides that the department shall issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on each eligible investment project as defined in RCW 82.69.010, if the investment project is undertaken for the purpose of manufacturing wood biomass fuel.

Declares that this act expires the earlier of: (1) July 1, 2009; or

(2) July 1st of the fiscal year following the first calendar year in which the volume of wood biomass fuel manufactured is equal to twenty percent of the total of the volume of wood biomass fuel and diesel fuel manufactured, as determined by the department. The department of licensing shall provide the department of revenue information necessary to make this determination.

Declares that deferred taxes need not be repaid if the department determines that the recipient has met the requirements of this act for the seven calendar years following the certification by the department that the investment project has been operationally completed.

Repeals RCW 82.69.040.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology, Telecommunications & Energy.

HB 2733 by Representatives Cooper, Hunt, Nixon, McDermott, Jarrett, Wallace, Romero, McCoy, G. Simpson, Clibborn, Dickerson, Upthegrove, Rockefeller, Dunshee, Miloscia, O'Brien, Murray, Quall, Ruderman, Sullivan, Moeller, Chase and Kagi

Providing for certification of certain state forest lands.

Finds that all of the public lands granted to the state are held in trust and should be managed in a manner that enhances benefits in perpetuity.

Finds that globalization of the wood products industry is changing the context for forest product marketing. New forest technologies in the world marketplace are creating a new model for production of the wood fiber needed to provide for wood products. Worldwide industrial forestry is migrating to an agronomic model of wood fiber production and away from traditional forestry models. In order for state timber to compete in the forest marketplace of the twenty-first century, strategic niche marketing must be employed.

Finds that state timber revenues can be enhanced over time and given long-term stability by distinguishing state forest products from the competition in the market, thus providing sustainable revenue for trust beneficiaries into the future. This sustainable revenue can be realized by providing leadership in sustainable forestry and still providing ecological and social benefits to the public and local communities.

Finds that certification of the state forest lands will ensure access to economically valuable markets for state forest products, increasing the benefits to the trust beneficiaries in both the short and long term.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HB 2734 by Representatives Schual-Berke, Benson and Roach; by request of Department of Financial Institutions

Addressing mortgage brokers.

Revises provisions relating to the mortgage broker practices act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2735 by Representatives Ormsby, Skinner, Veloria, Moeller, Conway and Kenney; by request of Department of Community, Trade, and Economic Development

Allowing federally recognized Indian tribes in rural counties and rural natural resources impact areas to be eligible for assistance under the community economic revitalization board's rural program.

Authorizes federally recognized Indian tribes in rural counties and rural natural resources impact areas to be eligible for assistance under the community economic revitalization board's rural program.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Trade & Economic Development.

HB 2736 by Representatives Murray, G. Simpson, Dickerson, Rockefeller and Wood

Streamlining transportation governance.

Provides for gubernatorial appointment of the secretary of the department of transportation.

Transfers certain powers of the transportation commission to the department.

Requires the transportation commission to collaborate with state and local transportation-related agencies, boards, and commissions to develop or refine performance goals for the multimodal transportation system in the state of Washington. The commission shall work with the legislative transportation committee and the transportation performance audit board to provide information necessary for those agencies to carry out their transportation performance review and audit responsibilities.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Transportation.

HB 2737 by Representative Anderson

Revising school funding by standardizing levy formulas and salary schedules.

Provides that for districts that have historically received teacher salary allocations in excess of the statewide salary schedule included in the appropriations act pursuant to RCW 28A.150.410, the legislature shall decline to provide a cost-of-living increase allocation, or shall provide a cost-of-living increase allocation at a lower rate than otherwise required by this section, in order to bring these districts' general apportionment allocations down to or closer to the statewide salary schedule.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

HB 2738 by Representatives Anderson and Upthegrove

Modifying port district provisions.

Provides that each port district with annual property tax collections of one million dollars or greater shall annually transfer seven percent of its gross operating revenues, excluding revenues derived from any property tax levy, to school districts as provided by this act.

Provides that a school district is eligible to receive the transferred funds as provided by this act if the school district includes within its jurisdiction, territory that is also within the jurisdiction of the port district.

Declares that the amount of funds an eligible school district may receive from a port district shall be proportionate and shall be determined by: (1) The total number of school district pupils that reside within the jurisdiction of the port district; and

(2) The total number of school district pupils that reside within the jurisdiction of the port district from each school district.

Provides that the department of ecology and the department of fish and wildlife shall, for port district property and railway corridors as provided by this act, delegate, to the maximum extent consistent with federal law, all environmental permitting authority currently exercised by these agencies, including, but not limited to, chapters 90.48, 90.58, and 77.55 RCW, to each port district. The department of ecology and the department of fish and wildlife shall delegate authority by certifying port commissions to self-permit with regard to all state environmental permits currently issued, approved, or consulted upon by the department of ecology and the department of fish and wildlife.

Declares that chapter 82.04 RCW does not apply to a port located business.

Requires any person maintaining places of business both on and off port district property which contribute to the business activity to, for the purpose of computing this tax exemption, apportion to this exemption that portion of gross income which is derived from activities rendered from the business location located on port district property.

Declares that the tax levied by RCW 82.08.020 does not apply to sales of tangible personal property or services to a port located business when the tangible personal property or services are used exclusively at the business's location on port owned property.

Declares that the provisions of chapter 82.12 RCW do not apply to the use of tangible personal property or services by a port located business when the tangible personal property or services are used exclusively at the business's location on port owned property.

Declares that the provisions of chapter 82.16 RCW do not apply to amounts received from sales to port located businesses.

Provides that a city or town may not impose a tax on amounts received by a port located business.

Declares that all leasehold interests in property of port districts are exempt from tax under chapter 82.29A RCW.

Provides that the personal property of a port located business which is used by the business exclusively at the business's location on port owned property is exempt from taxation.

Declares that the tax levied by RCW 82.08.020 does not apply to sales of tangible personal property or services used for the expansion of capacity on a mainline rail line. A mainline rail line is a rail line that carried more than five million gross ton-miles per mile in the prior year.

Declares that the provisions of chapter 82.12 RCW do not apply to the use of tangible personal property or services used for the expansion of capacity on a mainline railway.

Authorizes the board to make direct loans from the commingled trust fund to port districts with less than one million dollars in annual tax receipts.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Local Government.

HB 2739 by Representatives Darneille, Shabro, Lantz, Skinner, Lovick and Moeller

Providing funding for certain justice system activities.

Finds that there exists a crisis in the capacity of the justice system to meet the civil legal needs of low-income people, that there is an urgent need to address this crisis, that counties continue to experience significant justice system related needs, that county-based law libraries play an important role in helping members of the public understand and effectively assert important legal rights and that they face significant needs for new revenue, and that action needs to be taken to expand the revenue base available to address these and other important justice system operations.

Finds that in order to secure the needed additional revenue available for these activities, it is necessary and appropriate to increase certain fees and costs for services provided in association with the initiation and conduct of civil actions in the superior courts of this state.

Creates an office of civil legal services as an independent agency of the judicial branch. The office shall not provide direct representation of clients.

Provides that activities of the office of civil legal services shall be carried out by a director of civil legal services.

Requires the director to: (1) Contract with one or more qualified legal aid providers to provide civil indigent representation authorized by RCW 43.08.260 (as recodified by this act);

(2) Monitor and oversee the use of state funding to ensure compliance with this chapter and other applicable conditions;

(3) Report biennially to the administrator for the courts, the supreme court, the access to justice board, and the joint legislative civil legal services oversight committee on the status of access to the civil justice system for low-

income people and make recommendations regarding efforts that should be undertaken to enhance access; and
(4) Submit a biennial budget request.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2740 by Representatives Schual-Berke, Clibborn and Morrell; by request of Insurance Commissioner

Regulating a joint underwriting association for persons and entities that provide services to children and vulnerable adults.

Regulates a joint underwriting association for persons and entities that provide services to children and vulnerable adults.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2741 by Representatives Miloscia, Armstrong and Upthegrove; by request of Secretary of State

Managing digital public records.

Declares that the state archivist has the duty to preserve, protect, and make accessible electronic and digitally imaged paper and microfilm state and local government public records that have long-term legal, historical, fiscal, or other archival significance in the digital archives. In managing the digital archives, the state archivist shall comply with RCW 42.17.310(1) (ggg) or (hhh), as appropriate.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2742 by Representatives Haigh, Armstrong, McDermott and Miloscia; by request of Secretary of State

Incorporating the 2003 changes into Title 29A RCW.

Incorporates the 2003 changes into Title 29A RCW.
Repeals RCW 29.51.215.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2743 by Representatives Haigh, Armstrong, McDermott, Miloscia and Upthegrove; by request of Secretary of State

Consolidating and clarifying election-related crimes.

Consolidates and clarifies election-related crimes.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2744 by Representatives Miloscia and Armstrong; by request of Secretary of State

Implementing the Help America Vote Act.

Implements the Help America Vote Act.

Repeals RCW 29A.04.181, 29A.08.530, 29A.08.645, 29A.08.650, and 29A.08.750.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2745 by Representatives Miloscia, Nixon, G. Simpson, Talcott, Rockefeller and Upthegrove; by request of Secretary of State

Enhancing integrity of voting systems.

Provides that before each state primary or general election logic and accuracy testing of precinct-based systems or electronic voting devices must be performed by the county under the observation of the office of the secretary of state during the process of final preparation before system distribution to each pollsite.

Provides that, after all tests are performed and the machine is ready for distribution, the machine must be sealed and the seal number recorded. The procedure described in this act will serve as the official logic and accuracy test of these devices.

Directs the secretary of state to empanel a task force of elections and computer security experts to be known as the "Washington Voting Systems Board" to study and determine the potential for election fraud.

Provides that all poll-site based electronic voting devices shall produce an individual paper record, at the time of voting, that may be reviewed by the voter before finalizing his or her vote. This record may not be removed from the polling place and must be machine readable for counting purposes. If the device is programmed to display the ballot in multiple languages, the paper record produced must be printed in the language used by each voter.

Declares that paper records produced by poll-site based electronic voting devices are subject to all of the requirements of chapter 29A.44 RCW and chapter 29A.60 RCW for ballot handling, preservation, reconciliation, transit to the counting center, and storage. The paper records must be preserved in the same manner and for the same period of time as ballots.

Requires that ballot counting systems must be secured physically and electronically against unauthorized access.

Provides that anyone who removes a paper record produced by a poll-site based electronic voting system from a polling place without authorization is guilty of a class C felony punishable under RCW 9A.20.021.

Declares that nothing in this act prevents the state of Washington, its counties, or its voters from participating in the Secure Electronic Registration and Voting Experiment (SERVE) as authorized by PL 107-107, Title 16, section 1604 and chapter 17, Laws of 2003 1st sp. sess. including system certification, voter registration, and voting.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology, Telecommunications & Energy.

HB 2746 by Representative Kirby

Prohibiting future licensing of social card games.

Provides that the commission may not issue new licenses for social card games after the effective date of this act, except as follows: (1) The commission may reissue licenses to bona fide charitable or nonprofit organizations that have licenses for conducting social card games on the effective date of this act; and

(2) The commission may issue licenses to bona fide charitable or nonprofit organizations that have applied with the commission for a license to conduct social card games by the effective date of this act if the license is issued within a year of the effective date of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

HB 2747 by Representatives Ahern, Lovick, Bush, O'Brien, Miloscia, Crouse, Hankins, McDonald, Boldt, Skinner, Sump, Holmquist, Roach, McMahan, Orcutt, Kristiansen, Pearson and Nixon

Providing internet filtering software in libraries.

Declares that a computer that: (1) Is located in a lending library supported by public funds, public school library or media arts center, or in the library of a public institution of higher education;

(2) Can access the internet; and

(3) Is available for use by the public or students, or both;

must have its use policies determined by the facility's governing board. The governing board must adopt policies intended to reduce the ability of the user to access web sites displaying erotic or sexually explicit information or material as defined in chapter 9.68 RCW.

Establishes a pilot program to assess the feasibility of installing internet filtering software in libraries or institutions subject to this act, if funding is available.

Requires the secretary of state to prepare a report and recommendations and present them to the legislature by December 31, 2004.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology, Telecommunications & Energy.

HB 2748 by Representatives Ahern, Miloscia, Boldt, McMorris, McMahan, Crouse, Kristiansen, Sump, Benson, Bush, Hinkle, Holmquist, Roach, Schindler, Pearson, Nixon and Talcott

Defining abstinence education and comprehensive sex education for K-12 students.

Finds that section 912 of the welfare reform act of 1996 amends Title V of the social security act, that Washington state receives funding from Title V welfare, that section 510 defines abstinence education, and that entities promoting or teaching abstinence education must verify compliance as required by federal law.

Finds that school districts and their community committee members are free to determine the type and content of sex education programs used in their district.

Declares an intent by this act to help parents clearly identify the type of education being taught, assist community committee members in selecting the best materials to comply with school district policy, and support teachers in complying with their school district policy.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2749 by Representatives Ahern, Benson, Bush, McDonald, Crouse, Holmquist, Schindler, Roach, Nixon, Pearson and Talcott

Affirming the right of a woman to refuse to have an abortion.

Declares that RCW 9.02.100 provides that every woman has the fundamental right to choose or refuse to have an abortion.

Finds that the right to refuse to have an abortion should receive more emphasis in state law.

Declares an intent by this act to ensure that the right of a woman to refuse to have an abortion and to continue her pregnancy are given equal emphasis in state law.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2750 by Representative Clements

Releasing entities that let contracts for work from liability for certain industrial insurance premiums.

Provides that, subject to the requirements specified in this act, the department shall release the following from liability for industrial insurance premiums: (1) Public entities to the extent they are liable for premiums under RCW 51.12.050; and

(2) Persons, firms, and corporations to the extent they are liable for premiums under RCW 51.12.070.

Provides that, before releasing a public agency, person, firm, or corporation from liability for industrial insurance premiums, the department must determine that: (1) The proper risk classification was assigned for the work performed under the contract; and

(2) The industrial insurance premiums due for work performed under the contract have been paid.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

HB 2751 by Representative Clements

Facilitating traffic flow over Snoqualmie Pass.

Requires the department of transportation, in consultation with the Washington state patrol, to adopt rules for dividing vehicular traffic over Snoqualmie Pass during winter driving conditions or other hazardous driving conditions. The paramount guideline in establishing the rules is to provide for the highest level of safety and safe driving conditions for drivers and passengers.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Transportation.

HB 2752 by Representatives O'Brien, McCoy, Lovick, Kirby, Kagi and D. Simpson

Concerning forfeited property.

Amends RCW 70.105D.020 relating to forfeited property.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Fisheries, Ecology & Parks.

HB 2753 by Representatives Linville and Rockefeller

Creating a joint legislative forest management work group and requiring final sustainable harvest levels to be adopted by rule.

Finds that the management of the state-owned forests, including the calculation of sustainable harvest levels, must be carefully balanced to provide economic benefits to the trust beneficiaries, protection to the state's natural resources, and support to the state's rural communities.

Creates the joint legislative forest management work group to meet in the interim preceding the 2005 legislative session to study, investigate, and weigh the options available to the state with regard to third-party certification of state-owned forests.

Requires that any recommendations from the work group must be reported to the legislature in the form of suggested legislation prior to the start of the 2005 legislative session.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HB 2754 by Representatives Linville and Rockefeller

Preventing the sexual abuse of children by custodians.

Provides that "custodian of a victim" means a person who: (1) Operates, is employed by, or is a volunteer for an entity that: (a) meets the definition of agency under RCW 74.15.020(1) (a) through (l); and (b) has custody of the victim;

(2) Is a legal guardian to the victim; or

(3) Has been granted legal custody of the victim in any other manner.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Criminal Justice & Corrections.

HB 2755 by Representatives Linville, Talcott, Lantz and Kagi

Regarding supported employment for persons with mental illness.

Directs the department of social and health services, in cooperation with the state congressional delegation, to actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for ongoing supported employment services for persons with mental illness.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2756 by Representatives Linville, Talcott and Lantz

Creating a program to provide mental health services through a voucher system.

Finds that empowering mental health consumers by allowing them to direct and pay for their care will improve the delivery of mental health services. The creation of a voucher-based system of care will reduce administrative expenses and increase funding available for direct care.

Directs the department to establish a system of serving mental health consumers based on a voucher system. After being determined eligible for services under chapter 71.24

RCW, a consumer shall be provided a voucher that may be used to purchase mental health services from qualified providers. Vouchers may be redeemed through qualified community-based case managers, designated by the department.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2757 by Representatives Chase, McCoy, Pettigrew, Eickmeyer, Kenney and Morrell

Establishing a community mitigation program.

Recognizes that publicly funded projects often benefit local communities, but they can also result in adverse economic impacts on local businesses and citizens.

Finds that these impacts are not generally identified, quantified, or assessed in project siting decisions.

Finds that individual businesses, citizens, and communities should not bear an inequitable burden of siting public projects and that appropriate mitigation should be provided.

Finds that during the design and development of public project proposals, the economic impacts to local businesses, citizens, and communities must be analyzed and addressed.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2758 by Representatives Chase, Morris, G. Simpson, Morrell and Kagi

Providing incentives to support renewable energy.

Finds that the use of renewable energy resources generated from local sources such as solar and wind power benefit our state by reducing the load on the state's electric energy grid, by providing nonpolluting sources of electricity generation, and by the creation of jobs for local industries that develop and sell renewable energy products and technologies.

Declares an intent to provide incentives for the greater use of locally created renewable energy technologies, support and retain existing local industries, and create new opportunities for renewable energy industries to develop in Washington state.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology, Telecommunications & Energy.

HB 2759 by Representatives Murray, Dickerson and Rockefeller

Requiring vehicle registration at the residence address.

Declares that "residence address" means the street address of the primary residence of a person within the state of Washington. It is strongly presumed that the residence address will be the same address used in drivers' license records and voter registration records.

Provides that, to renew a vehicle license, an applicant shall satisfy all special motor vehicle excise tax obligations with respect to any taxing district of which the applicant is a resident. If the department or its agents determine that a vehicle registered at an address outside a taxing district is owned by a resident of the taxing district, the renewal application may be processed by the department or its agents only if the applicant: (1) Presents evidence reasonably

satisfactory to the department or its agents that the applicant is not a resident of the taxing district; or

(2) Establishes eligibility of the applicant for an exemption from the special motor vehicle excise tax; or

(3) Tenders payment of the applicable special motor vehicle excise taxes owed, files a change of address under RCW 46.20.205, and pays a fifteen-dollar surcharge.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Transportation.

HB 2760 by Representatives Schual-Berke, McDonald, Cody, Morrell, Tom, Darneille, Santos, Kagi, Benson, G. Simpson, Dickerson, Romero, Chase and Rockefeller

Providing for healthy foods for school children.

Provides that, in elementary and middle/junior high schools: (1) Any food sold in competition with the federally funded school meal programs, must meet the following standards: (a) no more than thirty percent of its total calories are from fat, unless the food is nuts or seeds; (b) no more than ten percent of its total calories are from saturated fat; (c) no more than thirty-five percent of its total weight is composed of sugar, unless the food is unsweetened fruit and/or vegetables;

(2) During regular school hours, and during federally funded school meal programs, water, nonfat or low-fat plain or flavored milk, nonfat or low-fat plain or flavored soy milk or rice milk, and one hundred percent fruit juices that have no added sweeteners are the only beverages that may be sold to pupils. Beverages that contain more than ten milligrams of caffeine per serving are prohibited. Serving sizes may not exceed twelve ounces.

Does not apply to holiday events, special celebrations, or class parties for which food and beverages are brought into the school.

Encourages teachers not to use food as a reward or incentive for student behavior or academic performance.

Provides that, beginning September 1, 2004, the office of superintendent of public instruction shall review and test compliance with this section as required by federal law. If a district is found not in compliance, it must submit a corrective plan to the office of superintendent of public instruction and implement the plan within six months from the finding of noncompliance.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2761 by Representatives McCoy, Santos, Quall, Pettigrew, McDermott, D. Simpson, O'Brien, Lovick, Kenney, Haigh, Chase and Veloria

Reestablishing the Washington commission on student learning.

Finds that the major focus of the no child left behind act is to provide all children with a fair, equal, and significant opportunity to obtain a high-quality education. In response to the no child left behind legislation, Washington has developed a single statewide accountability system that is required to ensure that: All K-12 public school students are included in the state assessment system; at least ninety-five percent of the students enrolled in the tested grades are assessed; all student groups reach the states proficiency level in reading and mathematics by 2013-14; schools and districts that do not meet the state's adequate yearly progress requirements are identified as needing improvement.

Finds that in 2003 over one-third of school districts in Washington did not make adequate yearly progress and more dramatically, the state, itself, did not meet its adequate yearly progress goal overall.

Finds that the office of the superintendent of public instruction's comprehensive research entitled, *Addressing the Achievement Gap: A Challenge for Washington State Educators* (November, 2002) concludes that, low-income and minority students encounter fewer opportunities to learn, inadequate instruction and support, and lower expectations from their schools and teachers.

Declares that research has also pointed out that schools are more reflective of white, middle-class society. This can lead to a disconnect between students who come from different cultures and family conditions and the traditional school structure and expectations.

Acknowledges that the Washington state school directors association reports that: Serious attention must be given to creating learning environments that are intolerant of racism and exclusion and in which high expectations are held for all students; curriculum and teaching practices must recognize differences in ethnicity, language, and culture and teachers must be skilled in teaching students unlike themselves; and in order to close the achievement gap, there must be understanding of the impact of language, culture, race, and poverty on student achievement.

Finds that the social, economic, and psychological fallout from failure to meet adequate yearly progress threatens all levels of our society and its stability.

Declares an intent to transform systems to enable the state and school districts to meet adequate yearly progress, particularly with historically marginalized students.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

HB 2762 by Representatives Santos, Kagi, Conway, Moeller, Hunt, Cody, Hudgins, G. Simpson, Kirby, Chase, Darneille and Morrell

Providing mandatory accountability for tax preferences.

Declares that, in order for private businesses to qualify for tax preferences, they must comply with the following eligibility standards: (1) There must be a net creation of full-time permanent jobs in Washington state by each business receiving tax preferences within two years of receiving the tax preference.

(2) New jobs created will pay no less than the prevailing wage rate for that industry or the county average wage, whichever is greater.

(3) Each business must provide employer-paid health benefits at no less than the value of the state's basic health plan, dental coverage, vacation and sick leave, and an ERISA-qualified retirement plan.

(4) The construction or installation of plant and equipment will be done through local hire agreements, pay the prevailing wage rate, and be covered by project labor agreements where applicable.

Provides that the following information and data, on a business specific basis, shall be reported annually to the department and be made available for public disclosure: (1) Each business must submit a statement explaining why it needs the tax preference in order to create new jobs or to fulfill some other public benefit that raises the living standards of Washington workers or strengthens the Washington state economy;

(2) The number of net new jobs created annually in Washington state as a result of receiving the tax preference

broken down by full-time, part-time, and temporary job categories;

(3) The wages of each new job reported in wage bands;

(4) A description of the amount and level of employer-provided benefits including health and dental insurance, vacation and sick leave, and retirement benefits;

(5) The businesses' employment level in states other than Washington and their employment level outsourced to other countries;

(6) Each business must report the dollar value for each state tax preference it receives over the previous four calendar quarters.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Finance.

HB 2763 by Representatives Morrell, Edwards, Schual-Berke, Haigh, Kessler, Cody, Darneille, G. Simpson, Conway and Kenney

Improving the delivery of health care services to school children.

Finds that additional school nurses with the appropriate expertise are needed in our schools to play a pivotal role in improving the health and educational success of the school-age child.

Provides that, by December 31, 2007, the superintendent of public instruction shall submit a report to the legislature on the implementation of this act and the impact of the services provided. The report shall include recommendations about whether funding for school nurses should be an ongoing responsibility of the state and part of basic education.

Appropriates an unspecified amount for the fiscal year ending June 30, 2005, from the general fund to the office of the superintendent of public instruction for the purposes of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2764 by Representatives Kagi, Dickerson, Moeller, Chase and Kenney

Providing for integration of services for deaf and hard of hearing children.

Finds that early intervention services providers, school districts and educational service districts, and the Washington school for the deaf should integrate their work in order to provide appropriate and consistent services throughout the state to children who are deaf or hard of hearing, from birth through twelfth grade.

Requires the governor and the superintendent of public instruction to establish an oversight committee to explore possibilities for the integration of the state's education services provided through the birth-to-three early intervention system, the preschool through twelfth grade system, and the Washington school for the deaf.

Provides that, the oversight committee established pursuant to this act shall report its recommendations concerning integration of the state's education services provided through the birth-to-three early intervention system, the preschool through twelfth grade system, and the Washington school for the deaf to the appropriate committees of the legislature by December 1, 2004.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services.

HB 2765 by Representatives Dickerson, Kagi, McDermott, Moeller, Talcott, Chase, Conway, Kenney and Morrell

Establishing an advisory council on early interventions for children who are deaf or hard of hearing.

Establishes an advisory council in the department of social and health services for the purpose of advancing the development of a comprehensive and effective statewide system to provide prompt and effective early interventions for children in the state who are deaf or hard of hearing and their families.

Directs the advisory council to develop statewide standards for early intervention services and early intervention services providers specifically related to children who are deaf or hard of hearing by January 1, 2005.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services.

HB 2766 by Representatives Miloscia, Boldt, Kagi, Wallace, Morrell, Pettigrew, Kenney, Darneille, Nixon, Chase, O'Brien, McDermott, Upthegrove, Linville, Conway, Cody, Anderson, Sump, Clements, Tom, Jarrett, Buck and Schual-Berke

Expanding the responsibilities of the caseload forecast council.

Expands the responsibilities of the caseload forecast council.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Appropriations.

HB 2767 by Representatives Hudgins, Hunt and McDermott

Establishing a closed primary.

Provides that, in addition to the information required by RCW 29A.08.010 for voter registration, the county auditor shall provide each voter an opportunity to affiliate with a major political party as part of his or her voter registration. Under no circumstances may an individual be required to affiliate with a political party in order to register to vote.

Declares that each voter who chooses to affiliate with a major political party as part of his or her voter registration is considered a "registered party member" of that political party. A voter may not affiliate with more than one major political party at a time, but may change his or her party affiliation information in a manner consistent with the procedures for changing a voter registration address, as provided in RCW 29A.08.140, 29A.08.145, and 29A.08.430.

Provides that, if a person filing a declaration of candidacy for a partisan office designates on his or her declaration an affiliation with a major political party, he or she must, at the time of filing, be a registered party member of that major political party.

Provides that, if a person filing a declaration of candidacy for a partisan office designates on his or her declaration on affiliation with a minor political party or

indicates that he or she is an independent candidate, he or she may not, at the time of filing, be a registered party member of any major political party.

Requires the voters' pamphlet to contain a section explaining how to register to vote, the option of affiliating with a major political party, the fact that party affiliation is not required in order to register to vote, and the fact that only voters who choose to affiliate with a major political party may participate in that party's primary election.

Repeals various provisions of chapter 29A RCW.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to State Government.

HB 2768 by Representatives Hudgins, Romero, G. Simpson, Moeller, Chase, Rockefeller, Conway and Kagi

Requiring state contracts be performed by citizens.

Requires that state contracts be performed by citizens of the United States or persons authorized by federal law to work in the United States.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

HB 2769 by Representatives Pettigrew, Benson, Kagi, Nixon, Miloscia, Tom, Darneille, Dickerson, Linville, Hunter, G. Simpson, Kirby, Moeller, Schual-Berke, Chase, Upthegrove, Morrell, Wood and Hudgins

Reducing hunger.

Recognizes that hunger and food insecurity are serious problems in the state.

Recognizes the correlation between adequate nutrition and a child's development and school performance. This problem can be greatly diminished through improved access to federal nutrition programs.

Recognizes that improved access to federal nutrition and assistance programs, such as the federal food stamp program, can be a critical factor in enabling recipients to gain the ability to support themselves and their families. This is an important step towards self-sufficiency and decreased long-term reliance on governmental assistance and will serve to strengthen families in this state.

Requires that, to the maximum extent allowable by federal law, the department shall implement simplified reporting for the food stamp program by October 31, 2004.

Declares that, for the purposes of this act, "simplified reporting" means the only change in circumstance that a recipient of a benefit program must report between eligibility reviews is an increase of income that would result in ineligibility for the benefit program.

Requires that, to the maximum extent allowable by federal law, beginning on October 31, 2005, the department shall provide transitional food stamp assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance.

Repeals RCW 28A.235.140.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services.

HB 2770 by Representatives Conway, G. Simpson, Wallace, Flannigan, Chase, McCoy, O'Brien, Hudgins, Moeller, Dickerson, Darneille and Morrell

Protecting the right to engage in activities related to collective bargaining.

Finds that: (1) Respect for human rights includes respect for fundamental worker rights;

(2) The foundation of worker rights is freedom of association and the effective recognition of the right to collectively bargain over terms and conditions of employment;

(3) These rights have been adopted and proclaimed by the General Assembly of the United Nations and the International Labor Organization, of which the United States is a member state;

(4) As a member state, the United States has pledged to ensure that its domestic labor law fully protects these fundamental worker rights;

(5) These fundamental worker rights are also a statutory right under the law of the state of Washington;

(6) These worker rights are not adequately protected when enforcement under the federal law is ineffective because of lengthy delays and procedural barriers; and

(7) To ensure that workers are free of discrimination when exercising their rights, a mechanism for supporting these rights is necessary in state law.

Authorizes a petition to be filed with the commission by a person claiming to be aggrieved because the exercise of his or her right under RCW 49.36.010, or under any statute, treaty, or agreement of the United States, to form, join, or assist, or to seek to form, join, or assist, a labor organization, has been interfered with, restrained, or coerced by another. Such a petition must be filed within six months of the alleged interference, restraint, or coercion.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

HB 2771 by Representatives Sommers, Lantz, Cody, Nixon, Morrell, Hankins, Tom, Kirby, Delvin, Mielke, Pearson, McMahan, Moeller, Dickerson, McIntire and Kenney

Prohibiting cyberstalking.

Declares that a person is guilty of cyberstalking if he or she, with intent to harass, intimidate, torment, or embarrass any other person, makes a communication to the other person or a third party through electronic mail or the Internet: (1) Using any lewd, lascivious, indecent, or obscene words or language, or suggesting the commission of any lewd or lascivious act;

(2) Anonymously or repeatedly whether or not conversation occurs; or

(3) Threatening to inflict injury on the person or property of the person called or any member of his or her family or household.

Provides that cyberstalking is a gross misdemeanor.

Provides that cyberstalking is a class C felony if either of the following applies: (1) The perpetrator has previously been convicted of the crime of harassment, as defined in RCW 9A.46.060, with the same victim or a member of the victim's family or household or any person specifically named in a no-contact order or no-harassment order in this or any other state; or

(2) The perpetrator engages in the behavior prohibited under this act by threatening to kill the person threatened or any other person.

-- 2004 REGULAR SESSION --

Jan 20 Held on first reading.

HB 2772 by Representatives Schual-Berke, Cody, O'Brien, G. Simpson, Moeller, Dickerson, Chase and Conway

Controlling genetic information.

Finds and declares the following: (1) Every individual possesses a fundamental right of privacy with respect to his or her genetic information;

(2) Genetic information is uniquely private and personal information that should not be collected, retained, or disclosed without the individual's authorization;

(3) The improper collection, retention, or disclosure of genetic information can lead to significant harm to the individual, including stigmatization and discrimination in areas such as employment and insurance;

(4) Current legal protections may be inadequate to protect genetic privacy.

Declares that the purpose of this act is to prohibit the disclosure of genetic information without the consent of the individual to whom the information pertains; prohibit discrimination based on genetic information in employment decisions; and prohibit the use of genetic information to discriminate in the life insurance contract.

Declares that it is unlawful for any person, firm, corporation, or the state of Washington, its political subdivisions, or municipal corporations to require, directly or indirectly, that any employee or prospective employee submit genetic information or submit to screening for genetic information as a condition of employment or continued employment.

Provides that, on the effective date of this act, if an employer possesses genetic information about an employee, it is unlawful for the employer to disclose the genetic information without the employee's informed consent.

Declares that it is unlawful to offer a person an inducement to disclose genetic information; to question a person about his or her genetic information; to solicit submission to, require, or administer a genetic test to any person as a condition of employment; or to collect, solicit, or require disclosure of genetic information from any person as a condition of employment.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Institutions & Insurance.

HB 2773 by Representatives Schual-Berke, Benson and Morrell

Establishing a commission on noneconomic damages.

Establishes a commission on noneconomic damages.

Requires the commission to develop a plan for implementing an advisory schedule of noneconomic damages in actions for injuries resulting from health care under chapter 7.70 RCW. The commission shall present the plan to the relevant policy committees of the legislature by October 31, 2005.

Declares that the commission's goal is to develop a plan that will increase the predictability and proportionality of settlements and awards for noneconomic damages in actions for injuries resulting from health care.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2774 by Representatives Schual-Berke, Bailey, Linville, Alexander, Kagi, Campbell, Benson, Clibborn, Moeller, Darneille, Morrell, Morris, Delvin, Pearson, G. Simpson and Chase

Defining "refill" for certain prescription drugs.

Declares that, for the purposes of RCW 69.41.190, "refill" includes the continuation of therapy with the same drug, including the renewal of a previous prescription or adjustments in dosage, when a prescription is for a patient on a stable treatment regimen in one of the five enumerated classes.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2775 by Representatives Fromhold, Hunter, Jarrett, Tom, Rockefeller, McIntire, Clibborn, Nixon, Moeller, Hunt, Chase, Conway, Kenney and Morrell

Changing the school district levy base calculation.

Revises the school district levy base calculation.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

HB 2776 by Representatives Cody, McCoy, Conway, Wood, Hudgins, Crouse, Kagi, Kenney, McMorris, Murray and McIntire

Concerning problem gambling.

Declares that it is the policy of the state of Washington to set a dedicated source of funding to increase treatment services for problem gamblers, training in the identification and treatment of problem gambling, public awareness and education regarding problem gambling, and specific education and treatment programs regarding problem gambling for adolescents.

Provides that, in addition to annual license fees authorized under RCW 9.46.070(5), the commission shall establish an annual licensing surcharge.

Requires that all funds received by the commission, or any employee thereof, from the licensing surcharge established in this act shall be deposited in the problem gambling treatment account.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

HB 2777 by Representatives McDermott, Haigh and Schual-Berke

Providing for a study of after-school programs.

Finds that good after-school programs and activities can provide safe and effective learning environments for children who would otherwise be alone and unsupervised after school.

Finds that most Americans believe that children should have access to organized activities after school and that

many of them would be willing to support those programs with their taxes.

Declares an intent to direct the office of the superintendent of public instruction and the department of social and health services to work with the Washington after-school network to develop a statewide vision and strategic plan designed to ensure that quality after-school programs are available to every school-aged child in the state.

Authorizes the superintendent of public instruction and the department of social and health services to provide, by grant or contract, funding to the Washington after-school network for the purposes of this act. The agencies may also seek and expend funds from federal, state, and local governmental agencies and private organizations for the purposes of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

HB 2778 by Representatives Tom, Kagi, Rockefeller, O'Brien, Hudgins, Moeller and Kenney

Increasing community service requirements for DUI offenses.

Provides that a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished by being required to perform not less than two hundred hours of community service. The two hundred hours of community service may not be suspended or deferred unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended or deferred, the court shall state in writing the reason for granting the suspension or deferral and facts upon which the suspension or deferral is based.

Declares that "community service" means service that is performed in aid of the parks department or equivalent agency or department of the county or municipality in which the offense occurred and that is performed while wearing distinctive and highly visible clothing such as may be worn by inmates of the local jail facility and which is prominently marked with the words "DUI Offender."

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2779 by Representatives Clibborn, Lantz, Pettigrew, Darneille and Rockefeller

Limiting liability for information provided by former or current employers to prospective employers.

Provides that an employer who discloses information about a former or current employee's job performance, conduct, or other work-related information to a prospective employer, or employment agency as defined by RCW 49.60.040, at the specific request of that individual employer or employment agency, is presumed to be acting in good faith and is immune from civil liability for such disclosure or its consequences.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2780 by Representatives Fromhold, Kagi, Delvin, Quall, McIntire, Chase, Darneille, Conway, Morrell and Kenney

Establishing an early learning and child care legislative work group.

Declares that it is the purpose of this act to initiate a process to develop a strategic vision and specific goals for early learning and child care programs and services throughout the state in order to provide support to families in preparing for and maintaining children's success in school.

Establishes an early learning and child care legislative work group to make recommendations for developing a strategic vision and specific goals for early learning and child care programs and services in the state.

Requires the work group to report its progress to the legislature by December 5, 2004.

Requires the work group to report its recommendations to the legislature by January 10, 2005.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services.

HB 2781 by Representatives Upthegrove, Schindler, Jarrett, Clibborn and Schual-Berke

Changing provisions relating to state agency review of development regulations.

Revises provisions relating to state agency review of development regulations.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Local Government.

HB 2782 by Representatives Cooper, Campbell and G. Simpson

Modifying certain state building codes that are adopted by reference.

Revises certain state building codes that are adopted by reference.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Local Government.

HB 2783 by Representatives Pettigrew, Skinner, O'Brien, Jarrett, Sullivan, Priest, Hunt, Cooper, Conway, Cairnes, Eickmeyer, Kirby, G. Simpson, Ruderman, Schual-Berke, Chase, Lantz, Kenney, Morrell, Wood and Murray

Providing a property tax exemption for nonprofits that assist small businesses.

Provides that the real and personal property owned or used by a nonprofit organization is exempt from taxation if the property is used to: (1) Assist startup and expanding businesses by providing education, training, and employment of economically disadvantaged people; or

(2) Provide shared use of equipment and work areas and daily technical resources that enable entrepreneurs to transform private activities into successful businesses.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Trade & Economic Development.

HB 2784 by Representatives Pettigrew, Skinner, O'Brien, Conway, Hunt, Cooper, Cairnes, Eickmeyer, Jarrett, Sullivan, Kirby, G. Simpson, Ruderman, Hatfield, Moeller, Chase, Kenney, Morrell, Hudgins and Murray

Creating the small business incubator program.

Declares it is the policy of the state of Washington to assist in the creation and expansion of innovative small commercial enterprises that produce marketable goods and services through the employment of residents, the use of technology, and the application of best management practices. This policy is to be implemented through the use of small business incubators.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Trade & Economic Development.

HB 2785 by Representatives Cody, Morrell, Conway, G. Simpson, Dickerson, Lantz and Murray

Increasing access to health insurance coverage.

Declares it is the intent of the legislature to: (1) Expand access to health care by imposing a fee on large employers, generating revenue that will be used to provide health care through basic health plan enrollment of the employees of employers paying the tax, and their dependents. However, consistent with this act, large employers can reduce or eliminate their fee through expenditures on health services for their employees;

(2) Maintain existing protections in law for persons eligible for public programs including, but not limited to, medical assistance programs, the state children's health insurance program, and the basic health plan.

Declares it is not the intent of the legislature to influence the content or administration of employee benefit plans, and the legislature is neutral as to whether large employers choose to pay the tax or provide health services to their employees and dependents.

Finds that many small employers struggle with the cost of providing employer-sponsored health insurance coverage to their employees and their employees' families, while others are unable to offer employer-sponsored health insurance due to its high cost. Low-wage workers also struggle with the burden of paying their share of the costs of employer-sponsored health insurance, while others turn down their employer's offer of coverage due to its costs.

Finds that limitations on access to health care services for enrollees in the state, such as in rural and underserved areas, are particularly challenging for the basic health plan.

Declares an intent to authorize the administrator to develop alternative purchasing strategies to ensure access to basic health plan enrollees in all areas of the state, including: (1) The use of differential rating for managed health care systems based on geographic differences in costs; and (2) limited use of self-insurance in areas where adequate access cannot be ensured through other options.

Finds that: (1) While increasing access to health care coverage for the state's uninsured residents is critical, no effort to address improvements in our health care system can proceed without close examination of health care costs and quality; and

(2) A comprehensive examination of health care cost and quality must include meaningful participation of a broad array of interests, including health care purchasers, health care providers, and insurers.

Directs the administrator of the health care authority to conduct a study and prepare recommendations to the legislature related to cost containment and quality improvement in the state's health care system. The report must be submitted to the governor and appropriate committees of the legislature by October 1, 2005.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2786 by Representatives Cody, Campbell, Morrell, Schual-Berke, Lantz, Clibborn, G. Simpson, Moeller, Upthegrove and Kagi

Improving patient safety practices.

Finds that: (1) Thousands of patients are injured each year in the United States as a result of medical errors, and that a comprehensive approach is needed to effectively reduce the incidence of medical errors in our health care system. Implementation of proven patient safety strategies can reduce medical errors, and thereby potentially reduce the need for disciplinary actions against licensed health care professionals and facilities, and the frequency and severity of medical malpractice claims; and

(2) Health care providers, health care facilities, and health carriers can and should be supported in their efforts to improve patient safety and reduce medical errors by authorizing the sharing of successful quality improvement efforts, encouraging health care facilities and providers to work cooperatively in their patient safety efforts, and increasing funding available to implement proven patient safety strategies.

Declares an intent to positively influence the safety and quality of care provided in Washington state's health care system.

Establishes provisions for funding patient safety efforts.

Requires that, by December 1, 2007, the department shall report the following information to the governor and the health policy and fiscal committees of the legislature: (1) The amount of patient safety fees and set asides deposited to date in the patient safety account;

(2) The criteria for distribution of grants, loans, or other appropriate arrangements under this act; and

(3) A description of the medical error reduction and patient safety grants and loans distributed to date, including the stated performance measures, activities, timelines, and detailed information regarding outcomes for each project.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2787 by Representatives Kessler, Campbell, Cody, Morrell, Schual-Berke, Clibborn, Moeller, Upthegrove and Kagi

Providing immunity from liability for licensed health care providers at community health care settings.

Declares that a "community health care setting" means an entity that provides health care services and: (1) Is operated by a public entity or private tax exempt corporation;

(2) Is a for-profit corporation that maintains and holds itself out to the public as having established hours on a

regular basis for providing free health care services to members of the public to the extent that care is actually provided without compensation during those established hours; or

(3) Is a for-profit corporation that is participating, through a written agreement, in a community-based program to provide access to health care services for uninsured persons, to the extent that care is being provided without compensation to individuals who have been referred for care through that community-based program.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2788 by Representatives Kessler, Schual-Berke, Cody, Morrell, Clibborn, Campbell, Moeller, Darneille, Buck and Kagi

Establishing priority for funds in the liability insurance program for retired primary care providers volunteering to serve low-income patients.

Provides that, if there are insufficient funds to support all applications for liability insurance coverage, priority shall be given to those retired primary care providers working at clinics operated by public or private tax-exempt corporations rather than clinics operated by for-profit corporations.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2789 by Representatives Schual-Berke, Armstrong, Chase, Tom, Hunt, Jarrett, Cooper, Hankins, Cody, Darneille, Edwards, Clibborn, G. Simpson, Kirby, Moeller, Nixon, Rockefeller, Lantz, Conway, Morrell and Kagi

Permitting health information and disease prevention instruction.

Declares an intent to enhance the healthy development of young people in Washington state by taking opportunities to provide them with information needed to help reduce rates of teen pregnancy, sexually transmitted diseases, and HIV infection.

Requires the department of health to work in consultation with the office of the superintendent of public instruction to develop guidelines for health information and disease prevention instruction under of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health Care.

HB 2790 by Representatives Kagi, O'Brien, Darneille and Upthegrove

Changing provisions relating to drug offenses.
Revises provisions relating to drug offenses.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Criminal Justice & Corrections.

HB 2791 by Representatives Kagi, Jarrett, Cody, Tom, Hunter, Darneille, Clibborn, Moeller, Schual-Berke, Chase and Hudgins

Providing for surrender of weapons by perpetrators of domestic violence.

Provides that, if there is reasonable cause to believe a party has committed or will commit domestic violence, the court must: (1) Require the respondent to surrender any firearm or other dangerous weapon;

(2) Require the respondent to surrender a concealed pistol license issued under RCW 9.41.070;

(3) Prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon; and

(4) Prohibit the respondent from obtaining or possessing a concealed pistol license.

Provides that an order regarding firearms or other dangerous weapons remains in effect until the party shows by clear and convincing evidence they do not pose a threat to public health or safety, or to the health or safety of any individual.

Provides that all law enforcement agencies must accept weapons surrendered under an order authorized by this act, RCW 10.99.040, 10.99.045, 26.50.060, or 26.50.070, and must beginning January 1, 2005, have in place rules or policies regarding how to accept, seize, and store weapons subject to an order of surrender.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HB 2792 by Representatives Kagi, Boldt, Dickerson, Shabro, Darneille, Roach, Pettigrew, Bailey, Cody, McIntire, Moeller, Schual-Berke, Chase, Kenney and Morrell

Initiating a process to develop collaboration among public and private providers of child welfare services.

Declares an intent to establish a process to ensure collaboration of department of social and health services staff and community-based agency staff in the provision of services to families involved in the child welfare system with a focus on implementing research-based practices across the state.

Directs the department of social and health services to convene regional and local department staff and community-based agency staff to develop recommended policies and protocols concerning the following: (1) Collaborative decision making relating to both administrative processes and services provided to families, including, but not limited to, contracting practices, referral practices, and resource allocation; and

(2) Integration of research-based practices into child welfare throughout the state.

Requires the department of social and health services to submit its recommended policies and protocols developed pursuant to this act to the governor and the appropriate committees of the legislature by December 1, 2004.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services.

House Joint Memorials

HJM 4033 by Representatives Moeller, Nixon, Dunshee, Tom, Santos, Jarrett, Lantz, Flannigan, Kirby, G. Simpson, Dickerson, Romero, Hunt, Chase, Darneille, Hunter, Voloria, Upthegrove, Morrell and Kagi

Expressing concern about the USA PATRIOT Act.

Resolves that the Washington legislature: (1) Affirms its abhorrence of and opposition to global terrorism; and

(2) Affirms its commitment to protecting the civil rights and civil liberties of all Washington residents and oppose any measures that unconstitutionally infringe upon those civil rights and civil liberties.

Resolves that the Washington legislature calls on Congress to adopt S. 1709, the SAFE Act, which is sponsored by a bipartisan group of senators and which would amend and clarify several provisions of the USA PATRIOT Act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

HJM 4034 by Representatives Ormsby, Benson, Linville, Schoesler, Hunt, Cooper, Ahern, Chase, Morrell and Wood

Petitioning Idaho concerning the Basin Environmental Improvement Project Commission.

Requests that the Idaho Legislature and Governor take action as follows: (1) That the Basin Commission be modified expeditiously so that all members have equal voting rights;

(2) That the membership of the Basin Commission be increased soon to include a representative of the county commission of Spokane county as appointed by the governor of the state of Washington; and

(3) That the state of Idaho enter into discussions with the state of Washington with the objective of replacing the present commission with a bistate entity having the participation of local, state, federal, and tribal governmental interests throughout the bistate watershed to coordinate the environmental remediation and natural resource restoration throughout the portion of the Spokane River/Couder d'Alene basin area designated under the federal Superfund law, and to obtain state, federal, and tribal agreement to that entity not later than December 31, 2006.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HJM 4035 by Representatives Hatfield, Buck, Blake, McMorris, Delvin, McMahan, G. Simpson, Kirby and Morrell

Requesting the Bonneville Power Administration to roll back its rate increase to provide electric rate relief.

Requests that the Bonneville Power Administration roll back to zero the Fiscal Year 2004 SN CRAC rate increase, in order that business, industrial, small farm, and residential customers throughout the Pacific Northwest Region may enjoy the economic benefits provided by electric rate relief.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology, Telecommunications & Energy.

HJM 4036 by Representatives Linville, Rockefeller, Chase, Morrell and Kagi

Requesting federal funding to help implement certain Clean Water Act requirements.

Requests that the United States Congress provide the State of Washington and its cities and counties with adequate funding to fully implement the permit requirements for municipal separate storm sewer systems established by the federal Clean Water Act and the implementing regulations adopted by the federal Environmental Protection Agency.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture & Natural Resources.

HJM 4037 by Representatives Conway, G. Simpson, Wallace, Chase, Flannigan, McCoy, O'Brien, Hudgins, Campbell and Morrell

Requesting congress to enact the employee free choice act of 2003.

Requests that the United States Congress protect worker rights by enacting the Employee Free Choice Act of 2003, S. 1925 or H.R. 3619, or substantially similar legislation.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Labor.

House Joint Resolutions

HJR 4215 by Representatives Sommers, Romero, Jarrett, Clibborn, Moeller, Bush, Edwards, Morrell and Kagi

Authorizing consolidation or merging of statutory and constitutional county functions and structures.

Proposes an amendment to the state Constitution authorizing consolidation or merging of statutory and constitutional county functions and structures.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Local Government.

House Concurrent Resolutions

HCR 4416 by Representatives Kenney, Cox and Morrell; by request of Higher Education Coordinating Board

Commending the higher education coordinating board for its work in preparing the 2004 Interim Strategic Master Plan for Higher Education.

Commends the higher education coordinating board for its work in preparing the 2004 Interim Strategic Master Plan for Higher Education.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

Senate Bills

SB 6403 by Senators Hewitt, Fairley, Spanel and Rasmussen

Authorizing projects recommended by the public works board.

Authorizes projects recommended by the public works board.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Ways & Means.

SB 6404 by Senator Deccio

Repealing the medicaid prescription drug assistance program.

Repeals RCW 74.09.650.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health & Long-Term Care.

SB 6405 by Senator Mulliken

Allowing auctioneers to auction vessels without registering as a vessel dealer.

Provides that an auction company licensed under chapter 18.11 RCW and licensed as a motor vehicle dealer under chapter 46.70 RCW may sell at auction all vessels that a vessel dealer is authorized to sell.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Trade.

SB 6406 by Senators Hale, T. Sheldon, Roach, McCaslin, Rasmussen and Stevens

Exempting small businesses from exhaustion of administrative remedies.

Provides that a petitioner for judicial review who is a small business as defined in RCW 19.85.020 need not exhaust administrative remedies if the petition is filed within two years of the agency action that is the subject of the petition.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6407 by Senators Shin, McAuliffe, Kohl-Welles and Carlson; by request of State Board of Education

Concerning school district superintendent credential preparation programs.

Revises provisions relating to school district superintendent credential preparation programs.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

SB 6408 by Senators Brandland, Rasmussen, Regala, Spanel, Kline and Esser

Regulating nonambulatory livestock.

Declares that, for the purposes of this act, "nonambulatory livestock" means cattle, sheep, swine, goats, horses, mules, or other equine, that are unable to stand and walk unassisted.

Provides that a person commits the crime of trading in nonambulatory livestock if the person knowingly delivers or accepts delivery of live nonambulatory livestock.

Provides that a person convicted of violating this act is guilty of a misdemeanor punishable as provided in RCW 9A.20.021.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Agriculture.

SB 6409 by Senators Mulliken and Stevens

Expanding the eligibility of counties to designate industrial land banks.

Expands the eligibility of counties to designate industrial land banks.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Land Use & Planning.

SB 6410 by Senators Poulsen, Prentice and Jacobsen

Strengthening load covering requirements.

Amends RCW 46.61.655 relating to covered loads.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6411 by Senators Brandland, Rasmussen, Sheahan, Hargrove, Swecker, Brown, Jacobsen, McAuliffe, Regala, Eide, Kline, Kohl-Welles and Winsley

Reducing hunger.

Recognizes that improved access to federal nutrition and assistance programs, such as the federal food stamp program, can be a critical factor in enabling recipients to gain the ability to support themselves and their families. This is an important step towards self-sufficiency and decreased long-term reliance on governmental assistance and will serve to strengthen families in this state.

Requires applications to determine free or reduced-price lunch eligibility to be distributed and collected for all households of children in schools containing any of the

grades kindergarten through four. The applications that are collected must be reviewed to determine eligibility for free or reduced-price lunches.

Requires that, using the most current available school data on free and reduced-price lunch eligibility, the superintendent of public instruction shall adopt a schedule for implementation of school breakfast and lunch programs at each school required to offer such a program under this act.

Provides that, to the maximum extent allowable by federal law, the department shall implement simplified reporting for the food stamp program by October 31, 2004.

Declares that, for the purposes of this act, "simplified reporting" means the only change in circumstance that a recipient of a benefit program must report between eligibility reviews is an increase of income that would result in ineligibility for the benefit program. Every six months the assistance unit must either complete a semiannual report or participate in an eligibility review.

Provides that, to the maximum extent allowable by federal law, beginning on October 31, 2005, the department shall provide transitional food stamp assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance. If necessary, the department shall extend the household's food stamp certification until the end of the transition period.

Repeals RCW 28A.235.140.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services & Corrections.

SB 6412 by Senators Fraser, Keiser and Kline

Changing the method for designating the lead agency for public proposals under the state environmental policy act.

Revises the method for designating the lead agency for public proposals under the state environmental policy act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Natural Resources, Energy & Water.

SB 6413 by Senators Mulliken, T. Sheldon, Swecker, Rasmussen, Esser, Hargrove, Murray and Stevens

Modifying impact fee provisions.

Provides that impact fees for residential construction shall only be collected by the county, city, or town imposing the impact fee either: (1) At the time of title transfer to the occupant;

(2) Twelve months after the building permit is issued;

(3) At the time of final inspection of the residence; or

(4) At the time the certificate of occupancy is issued.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Land Use & Planning.

SB 6414 by Senators Roach, Rasmussen and Esser

Requiring annual audits of the state industrial insurance fund.

Requires annual audits of the state industrial insurance fund.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6415 by Senators Morton, Doumit, Hewitt, Hargrove, Honeyford, T. Sheldon, Hale, Murray and Stevens

Concerning storm water general discharge permits.

Authorizes the department to issue storm water general permits under the national pollution discharge elimination system of the federal clean water act if such permits are required to comply with federal standards or are necessary for the effective implementation of chapter 90.48 RCW. However, the permits are subject to the following conditions: (1) The implementation and maintenance of best management practices for on-site pollution control is presumed to constitute compliance with the standards and requirements of the permit, subject to the conditions of this act.

(2) For purposes of storm water discharges, meeting effluent discharge limits must be demonstrated through implementation of best management practices sufficient to equate to all known and reasonable treatment. The department may monitor best management practices, for as long as deemed necessary, to determine their effectiveness in managing pollutants in storm water.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Natural Resources, Energy & Water.

SB 6416 by Senators Swecker, Oke, Brandland, Rasmussen, Winsley and Shin; by request of Washington State Patrol

Authorizing background checks before an authorized emergency vehicle permit is issued.

Provides that the equipment and standards review unit shall require a record check of all applicants and drivers for an authorized emergency vehicle permit through the Washington state patrol criminal identification section pursuant to RCW 10.97.050 and through the federal bureau of investigation before issuing an authorized emergency vehicle permit. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6417 by Senators Roach and Kastama; by request of Secretary of State

Incorporating the 2003 changes into Title 29A RCW.

Incorporates the 2003 changes into Title 29A RCW. Repeals RCW 29.51.215.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6418 by Senators Roach and Kastama; by request of Secretary of State

Consolidating and clarifying election-related crimes.
Consolidates and clarifies election-related crimes.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6419 by Senators Roach, Kastama, McAuliffe, Oke and Winsley; by request of Secretary of State

Implementing the Help America Vote Act.
Implements the Help America Vote Act.
Repeals RCW 29A.04.181, 29A.08.530, 29A.08.645, 29A.08.650, and 29A.08.750.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6420 by Senators Roach, Kastama, Kohl-Welles, Rasmussen, Oke and Winsley; by request of Secretary of State

Enhancing integrity of voting systems.

Provides that before each state primary or general election logic and accuracy testing of precinct-based systems or electronic voting devices must be performed by the county under the observation of the office of the secretary of state during the process of final preparation before system distribution to each pollsite.

Provides that, after all tests are performed and the machine is ready for distribution, the machine must be sealed and the seal number recorded. The procedure described in this act will serve as the official logic and accuracy test of these devices.

Directs the secretary of state to empanel a task force of elections and computer security experts to be known as the "Washington Voting Systems Board" to study and determine the potential for election fraud.

Provides that all poll-site based electronic voting devices shall produce an individual paper record, at the time of voting, that may be reviewed by the voter before finalizing his or her vote. This record may not be removed from the polling place and must be machine readable for counting purposes. If the device is programmed to display the ballot in multiple languages, the paper record produced must be printed in the language used by each voter.

Declares that paper records produced by poll-site based electronic voting devices are subject to all of the requirements of chapter 29A.44 RCW and chapter 29A.60 RCW for ballot handling, preservation, reconciliation, transit to the counting center, and storage. The paper records must be preserved in the same manner and for the same period of time as ballots.

Requires that ballot counting systems must be secured physically and electronically against unauthorized access.

Provides that anyone who removes a paper record produced by a poll-site based electronic voting system from a polling place without authorization is guilty of a class C felony punishable under RCW 9A.20.021.

Declares that nothing in this act prevents the state of Washington, its counties, or its voters from participating in the Secure Electronic Registration and Voting Experiment (SERVE) as authorized by PL 107-107, Title 16, section 1604 and chapter 17, Laws of 2003 1st sp. sess. including system certification, voter registration, and voting.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6421 by Senators Mulliken, McCaslin, T. Sheldon, Stevens and Murray

Providing for maintaining buildable acreage in urban growth areas.

Provides that, by September 1, 2006, and at least every five years thereafter, each county, in consultation with its cities as required by RCW 36.70A.110 and 36.70A.210, must increase the total land area within its urban growth areas by the total docketed acreage deficiency, with comparable qualitative land characteristics, through amendment of the county's comprehensive plan.

Requires that the county within which the increased land suitable for urban development is located must review its comprehensive plan elements under RCW 36.70A.070 and its development regulations under RCW 36.70A.060 and adopt any amendments necessary to assure that the comprehensive plan elements and development regulations are consistent with the changes required by this act. This review may be combined with but may not be delayed by the review required by RCW 36.70A.130(3) or the review and evaluation required by RCW 36.70A.215.

Declares that, for purposes of this act, "docketing" means compiling and maintaining a detailed list, available to the public, of acreage and land use deficiencies in a manner that ensures the deficiencies will be presented for the required periodic county action.

Declares that, for purposes of this act, "qualitative land characteristics" means the designated use of the land in deficiency, its suitability for development, the general location of that land within the county, its physical characteristics, and the availability of urban governmental services for the land.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Land Use & Planning.

SB 6422 by Senators Keiser, Thibaudeau, Franklin, McAuliffe, Regala and Kohl-Welles

Concerning small employers and the basic health plan.

Provides that, "small employer group enrollee" means an individual, or an individual plus the individual's spouse or dependent children, whose employer: (1) Is a small employer as defined in RCW 48.43.005;

(2) Applies for group coverage through the plan; and

(3) Agrees to pay a premium for that coverage which is equal to the cost charged by the managed health care system to the state for the plan plus the administrative cost of providing the plan to the small employer group.

Provides that the administrator shall accept applications for group coverage from small employers who meet the requirements of this act on behalf of themselves and their employees, spouses, and dependent children who reside in an area served by the plan.

Declares that small employer group coverage through the basic health plan is not conditioned upon the small employer group enrollees meeting the eligibility requirements for subsidized enrollees provided in RCW 70.47.020(4).

Authorizes the administrator to require all or a substantial majority of employees of small employers to enroll in the plan and establish those procedures necessary

to facilitate the orderly enrollment of groups in the plan. The administrator may also devise policies and procedures to assist small employer group enrollees who meet the eligibility requirements for subsidized enrollees provided in RCW 70.47.020(4) to seek enrollment as a subsidized enrollee.

Declares that small employer group enrollees are eligible for coverage through the basic health plan subsidized enrollee pool, even though employees in the group may not be subsidized enrollees as defined in RCW 70.47.020(4).

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health & Long-Term Care.

SB 6423 by Senators Pflug, Winsley, Thibaudeau, Franklin, Keiser, Kastama, Deccio, McAuliffe, Kohl-Welles, Rasmussen and Oke

Improving the delivery of health care services to school children.

Finds that additional school nurses with the appropriate expertise are needed in our schools to play a pivotal role in improving the health and educational success of the school-age child.

Provides that, by December 31, 2007, the superintendent of public instruction shall submit a report to the legislature on the implementation of this act and the impact of the services provided. The report shall include recommendations about whether funding for school nurses should be an ongoing responsibility of the state and part of basic education.

Appropriates an unspecified amount for the fiscal year ending June 30, 2005, from the general fund to the office of the superintendent of public instruction for the purposes of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

SB 6424 by Senators Hewitt, Regala, Esser, Eide, Hale, Berkey, Kohl-Welles, Rasmussen and Pflug

Clarifying the taxation of staffing services.

Declares that the legislature has determined that it is in the best interests of the state and the temporary staffing industry to alleviate the fiscal impact to the industry, and to fully resolve the issues of the classification and measure of the tax.

Finds that this can be achieved by lowering the rate of tax imposed on the gross income of a temporary staffing agency, which amount includes all wages, benefits, and costs paid to or for workers, and clarifying that persons providing retail services will be taxable under the retailing or wholesaling classification.

Provides that, absent a person's fraud or intentional misrepresentation of a material fact, no assessment for taxes imposed under chapters 82.08 and 82.12 RCW for staffing services, or related penalties or interest, may be made by the department against a person who in good faith: (1) Upon the effective date of this act, collects and remits to the department the applicable taxes imposed under chapters 82.08 and 82.12 RCW on sales made to consumers in this state; and

(2) For a period of at least thirty-six months from the effective date of this act, continues to collect and remit to

the department the applicable taxes imposed under chapters 82.08 and 82.12 RCW on sales made to consumers in this state; provided however, that should the person quit doing business as a staffing service, then the thirty-six month period shall be reduced to the period that the person conducted business as a staffing service from the effective date of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Ways & Means.

SB 6425 by Senators Morton and Swecker

Regulating water well construction.

Requires every licensed operator to complete, during their compliance period, the continuing education unit requirement as determined by the department.

Directs every licensed operator to obtain the required continuing education units during the compliance period and submit to the department verification of completion statements from approved providers.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Natural Resources, Energy & Water.

SB 6426 by Senator Honeyford

Revising provisions relating to the renewal of a cosmetology, barber, or manicurist license.

Amends RCW 18.16.110 relating to the renewal of a cosmetology, barber, or manicurist license.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Trade.

SB 6427 by Senator Honeyford

Regarding industrial insurance appeals.

Revises provisions relating to industrial insurance appeals.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Trade.

SB 6428 by Senator Honeyford

Concerning industrial insurance health care providers.

Provides that, when a provider files with the board an appeal from an order terminating the provider's authority to provide services related to the treatment of industrially injured workers, the department may petition the board for an order immediately suspending the provider's eligibility to participate as a provider of services to industrially injured workers under Title 51 RCW pending the final disposition of the appeal by the board.

Provides that the board shall grant the petition if it determines that there is good cause to believe that workers covered under this title may suffer serious physical or mental harm if the petition is not granted. The board shall expedite the hearing of the department's petition under this act.

Provides that, if the department finds that a health services provider has improperly billed, overutilized, or failed to comply with rules adopted under Title 51 RCW,

including but not limited to practice parameters and protocols established under this title, it must notify the provider of its findings and may determine that the health services provider may not receive payment from the department or self-insured employer, as the case may be, or may impose penalties as provided in RCW 51.48.080.

Requires the department to monitor the quality and objectivity of written responses submitted to the department or self-insurers by attending or treating providers in response to reports of medical examinations that were ordered by the department or self-insurer under this act. At least annually, the department will report to the workers' compensation advisory committee on the quality and objectivity of these written responses.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Commerce & Trade.

SB 6429 by Senator Pflug

Providing for safety training for all-terrain vehicle operators.

Requires the department to adopt standards for and implement a comprehensive all-terrain vehicle safety education and training program. The program must provide for the hands-on training of all-terrain vehicle operators, and for the issuance of all-terrain vehicle safety certificates to operators who successfully complete the training. Course content shall be adopted from a curriculum developed by a nationally recognized safety organization such as the all-terrain vehicle safety institute.

Provides that the director will by rule establish a program to certify all-terrain vehicle safety instructors, clubs, associations, municipalities, or political subdivisions to conduct a training program and to issue safety certificates in the director's name.

Requires that all-terrain vehicle safety instructors at a minimum shall meet the following requirements to become certified: (1) Possess a current all-terrain vehicle safety instructor certification or license issued by a recognized all-terrain vehicle safety organization;

(2) Be at least eighteen years of age;

(3) Have no convictions relating to or as a result of the use of alcohol or drugs during the immediately preceding two years; and

(4) Have no previous felony convictions.

Provides that: (1) All-terrain vehicles with engine capacity of seventy cubic centimeter displacement ("cc") up to and including ninety cc may be operated on public land only by those aged twelve and older.

(2) All-terrain vehicles with engine capacity greater than ninety cc may be operated on public land only by those aged sixteen and older.

(3) Persons under age sixteen must be under continuous adult supervision while operating an ATV on public land.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6430 by Senators Esser, B. Sheldon, Hale, Oke, Pflug, Fairley, Stevens, McAuliffe, T. Sheldon, Jacobsen, Sheahan, McCaslin, Roach, Winsley, Berkey, Haugen, Eide, Keiser, Schmidt and Carlson

Extending the prohibition on mandatory local measured telecommunications service.

Extends the prohibition on mandatory local measured telecommunications service to June 1, 2008.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Technology & Communications.

SB 6431 by Senators Winsley, Franklin, Horn, Thibaudeau, Fraser, Kline, Eide, McAuliffe, Haugen, Brown, Regala, Keiser, Kohl-Welles and Prentice

Providing health information for youth.

Declares that Washington's adolescent health issues, like teen pregnancy and sexually transmitted diseases, must be addressed with comprehensive prevention efforts.

Declares an intent to enhance the healthy development of young people in Washington state by taking opportunities to provide them with information needed to help reduce rates of teen pregnancy, sexually transmitted diseases, and HIV infection.

Directs the department to work in consultation with the office of the superintendent of public instruction to develop guidelines for health information and disease prevention instruction under this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Health & Long-Term Care.

SB 6432 by Senators Kohl-Welles, Brandland, Roach, Thibaudeau, Kline and Rasmussen

Penalizing cyberstalking.

Declares that a person is guilty of cyberstalking if he or she, with intent to harass, intimidate, torment, or embarrass any other person, makes a communication to the other person or a third party through electronic mail or the Internet: (1) Using any lewd, lascivious, indecent, or obscene words or language, or suggesting the commission of any lewd or lascivious act;

(2) Anonymously or repeatedly whether or not conversation occurs; or

(3) Threatening to inflict injury on the person or property of the person called or any member of his or her family or household.

Provides that cyberstalking is a gross misdemeanor.

Provides that cyberstalking is a class C felony if either of the following applies: (1) The perpetrator has previously been convicted of the crime of harassment, as defined in RCW 9A.46.060, with the same victim or a member of the victim's family or household or any person specifically named in a no-contact order or no-harassment order in this or any other state; or

(2) The perpetrator engages in the behavior prohibited under this act by threatening to kill the person threatened or any other person.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

SB 6433 by Senators Benton, Kohl-Welles and Oke

Regarding investigations by the superintendent of public instruction.

Provides that, once an investigation has been initiated by the superintendent of public instruction, the investigation

shall be completed regardless of whether the individual being investigated has resigned his or her position or allowed his or her teaching certificate to lapse.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

SB 6434 by Senators Benton and Berkey

Regulating capital calls by domestic mutual insurers.

Provides that, in addition to authority granted by RCW 48.09.220 and 48.09.230, a domestic mutual insurer meeting all the requirements of this act may increase its surplus by issuing a capital call. A capital call requires policyholders or applicants for insurance to pay a sum, in addition to premium, to be eligible to renew a policy or be issued a new policy.

Provides that, a policyholder that does not pay the amount of a call cannot be cancelled or denied the benefits of an existing policy.

Declares that the commissioner may disapprove a capital call if he or she does not believe it is in the best interest of the insurer, the policyholders, or the citizens of the state of Washington. In making this determination, the commissioner may consider the financial health of the insurer, the impact on the marketplace, the possible use of other means to raise capital, the frequency of previous capital calls by the insurer, the effect of raising premiums instead of a capital call, the impact on state revenue, or any other factor the commissioner deems proper.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Financial Services, Insurance & Housing.

SB 6435 by Senators Parlette, Haugen and Horn

Revising the notice of traffic infraction form.

Revises RCW 46.63.060 relating to the notice of traffic infraction form.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

SB 6436 by Senators Horn, Murray, Swecker, Mulliken, Esser, Oke, Stevens and Benton

Opening HOV lanes on weekends.

Provides for opening HOV lanes on weekends.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6437 by Senators Horn, Haugen, Swecker, Mulliken, Murray, Esser, Schmidt and Shin

Designating highways of statewide significance.

Designates highways of statewide significance.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6438 by Senators Horn, Haugen, Swecker, Oke and Esser

Assisting vessel registration enforcement.

Provides that the department of revenue may enforce chapter 88.02 RCW, and the rules adopted by the department of licensing under this chapter. The department of revenue shall develop a system for the public to report incidents of suspected vessel registration evasion.

Provides that a marina that leases permanent moorage to vessels must require proof of vessel registration or proof of intent to register a vessel as a condition of leasing moorage space.

Directs the marina to report to the department of revenue at the end of each month the names, addresses, and vessel identification information of any unregistered vessels leasing moorage space.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6439 by Senators Horn, Haugen, Swecker, T. Sheldon, Schmidt, Johnson, Poulsen, B. Sheldon, Jacobsen, Stevens, Mulliken, Hale, Spanel, Eide, Rasmussen and Winsley

Enhancing motorcycle safety curriculum.

Requires the superintendent of public instruction to include information on motorcycle awareness, approved by the Motorcycle Safety Foundation, in instructional material used in traffic safety education courses, to ensure new operators of motor vehicles have been instructed in the importance of safely sharing the road with motorcyclists.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Highways & Transportation.

SB 6440 by Senators Carlson, Zarelli, Benton, Eide and Rasmussen

Placing restrictions on the residency of sex offenders during their period of community custody.

Provides that the terms of community custody imposed under RCW 9.94A.710, 9.94A.712, and 9.94A.715 shall include the condition that offenders classified pursuant to RCW 72.09.345 as risk level II or III offenders shall not establish a residence with, or within one thousand feet of, other risk level II or III offenders currently under community custody for the commission of a sex offense and, unless waived by the court, other conditions shall be the same as those provided for in RCW 9.94A.700(4) and may include those provided for in RCW 9.94A.700(5).

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services & Corrections.

SB 6441 by Senators Shin, Schmidt, B. Sheldon, Eide, Regala, Berkey, Winsley, Parlette, Jacobsen, McAuliffe and Rasmussen

Requiring record checks for fire fighters.

Provides that, for all paid or volunteer fire fighters that may, in the course of their work or volunteer activity for a city, have access to the home or property of another person,

cities shall require a record check through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of investigation before hiring an employee or accepting a volunteer.

Provides that record checks shall not be required of persons who are paid or volunteer fire fighters of the city prior to the effective date of this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6442 by Senators Zarelli, Prentice, Parlette, Regala, Hargrove, Hewitt, Winsley, B. Sheldon, Esser, Fraser, Eide, Hale, Kline, Brandland, Fairley, Schmidt, Stevens, Johnson, McCaslin, Carlson, Horn, Benton, Mulliken, Roach, McAuliffe, Murray, Rasmussen, Oke and Pflug

Creating the developmental disabilities community trust account.

Creates the developmental disabilities community trust account in the state treasury. All proceeds from the disposal of excess property at Lakeland Village, Rainier School, and Yakima Valley School that would not impact current residential habilitation center operations must be deposited into the account.

Declares that expenditures from the account shall be used exclusively to provide family support and/or employment/day services to persons with developmental disabilities not receiving these services prior to January 1, 2004. The account shall not be used to replace, supplant, or reduce existing appropriation levels.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Ways & Means.

SB 6443 by Senators Kohl-Welles, Winsley, Hargrove, Schmidt, Fraser, Benton, Roach, Rasmussen and Oke

Providing protocols for services for victims of trafficking of humans.

Declares an intent to improve the response of state, local, and private entities to incidents of trafficking of humans in order to provide better investigations and prosecutions of such acts and to establish a coordinated and humane system of identifying the needs of persons who are victimized by human trafficking in order to deliver appropriate services in a way that promotes safety and dignity.

Recognizes there are many state agencies and private organizations that might be called on to provide services to victims of trafficking of humans and that such victims would be better served if protocols are developed for training of service delivery agencies staff and the delivery of services.

Provides that, by July 1, 2004, the director of the department of community, trade, and economic development, or the director's designee, shall within existing resources convene and chair a work group to develop written protocols for delivery of services to victims of trafficking of humans.

Requires that, by January 1, 2005, the work group shall finalize the written protocols and submit them with a report to the legislature and the governor.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Judiciary.

SB 6444 by Senators Kohl-Welles, Winsley, Hargrove, Schmidt, Fraser, Benton, Roach and Rasmussen

Creating an award for fighting human trafficking or aiding the victims of human trafficking.

Creates an award to honor and recognize individuals and groups, public or private, who have made noteworthy efforts to fight human trafficking or to provide services to the victims of human trafficking.

Provides that the governor, in conjunction with the director, shall identify and honor up to two individuals or groups, public or private, in Washington state who have made noteworthy efforts to fight human trafficking or to provide services to the victims of human trafficking. The award shall be given annually, commencing September 2004, consistent with the availability of qualified nominees.

Provides that the director shall appoint a broad-based advisory committee that includes community advocacy and other organizations and agencies serving trafficking victims, immigrants, and others affected by trafficking.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6445 by Senators Kohl-Welles, Benton, Winsley, Kastama, Roach, Fraser, McAuliffe and Kline

Developing policies, procedures, and mandatory training programs on sexual harassment for all state employees.

Requires the director to adopt rules, under RCW 41.06.400(2)(b), developing policies, procedures, and mandatory training programs on sexual harassment for all state employees.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Government Operations & Elections.

SB 6446 by Senators Kohl-Welles, Benton, Hargrove, Shin, Rasmussen and Winsley

Clarifying the duty of members of the clergy to report abuse or neglect.

Declares that the reporting requirement of this act shall apply to a member of the clergy only when he or she becomes aware of an allegation of abuse or neglect that is made regarding another member of the clergy over whom the member of the clergy regularly exercises supervisory authority in his or her capacity as a member of the administrative or managerial structure of the religious institution.

Provides that no member of the clergy shall be required to report allegations of abuse or neglect when he or she obtains the information solely as a result of a confession made pursuant to the clergy-penitent privilege as provided in RCW 5.60.060, so long as the member of the clergy has the authority to hear such confession under the regular tenets of his or her religious institution.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services & Corrections.

SB 6447 by Senators Stevens and Haugen

Revising DNA testing provision.

Provides that a person convicted of a felony in a Washington state court who currently is serving a term of imprisonment may submit to the court that entered the judgment of conviction a verified written motion requesting DNA testing.

Provides that the court shall grant a motion requesting DNA testing under this act if such motion is in the form required by this act, and the convicted person has demonstrated on a more probable than not basis that the proposed DNA testing would provide substantial new evidence related to the identity of the perpetrator of, or accomplice to, the crime, or to sentence enhancement.

Declares that DNA testing ordered under this act shall be performed by the Washington state patrol crime laboratory. Contact with victims shall be handled through victim/witness divisions.

Provides that, notwithstanding any other provision of law, any biological material that has been secured in connection with a criminal case, or evidence samples sufficient for testing, shall not be destroyed before the date of the convicted person's release from custody or twenty years from the date of conviction, whichever occurs first.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Children & Family Services & Corrections.

SB 6448 by Senators Zarelli, Prentice and Winsley; by request of Department of Revenue

Transferring responsibility for collecting certain telephone program excise taxes from the department of social and health services to the department of revenue.

Transfers responsibility for collecting certain telephone program excise taxes from the department of social and health services to the department of revenue.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Ways & Means.

SB 6449 by Senators Eide, Carlson, Doumit, Schmidt, McAuliffe, Swecker, Keiser, Kastama, Prentice, Thibaudeau, Fairley, Kohl-Welles, Rasmussen, Fraser, Regala, Kline, Franklin, Berkey, Poulsen, Shin, B. Sheldon, Spanel, Esser, Winsley, Haugen and Jacobsen

Providing for a comprehensive K-12 education finance study.

Creates the K-12 finance study executive committee to conduct a comprehensive K-12 education finance study.

Requires the comprehensive study to address the following: (1) The constitutional and legal requirements underlying the current finance system and how those requirements are affected by the goal under education reform to provide all students with the opportunity to achieve the state standards;

(2) The strengths and weaknesses of the current state and local finance formulas and how those formulas are used

by local school districts to meet state requirements and student learning goals;

(3) Potential changes to the current finance system including the methods of allocating funds and the levels of funding and how student achievement is affected;

(4) Reviewing the funding systems in at least five other states.

Requires the study to be completed by July 1, 2006. The results shall be reported to the governor, the legislature, and the superintendent of public instruction.

Appropriates the sum of five hundred thousand dollars, or as much thereof as may be necessary, from the general fund for the biennium ending June 30, 2005, to the superintendent of public instruction to be spent for the comprehensive K-12 education finance study under this act under the direction of the K-12 finance study executive committee created under this act.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Education.

Senate Concurrent Resolutions

SCR 8420 by Senators Stevens, Shin, Mulliken, Parlette and Kohl-Welles

Creating the American Legislative Exchange Council Thirty-first Annual Meeting Host Committee.

Creates the American Legislative Exchange Council Thirty-first Annual Meeting Host Committee.

-- 2004 REGULAR SESSION --

Jan 19 Read first time, rules suspended, and placed on second reading calendar. Rules suspended. Placed on Third Reading. Third reading, adopted.

SCR 8421 by Senators Carlson, Kohl-Welles, Schmidt, Berkey and Winsley; by request of Higher Education Coordinating Board

Commending the higher education coordinating board for its work in preparing the 2004 Interim Strategic Master Plan for Higher Education.

Commends the higher education coordinating board for its work in preparing the 2004 Interim Strategic Master Plan for Higher Education.

-- 2004 REGULAR SESSION --

Jan 20 First reading, referred to Higher Education.

LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

SENATE

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